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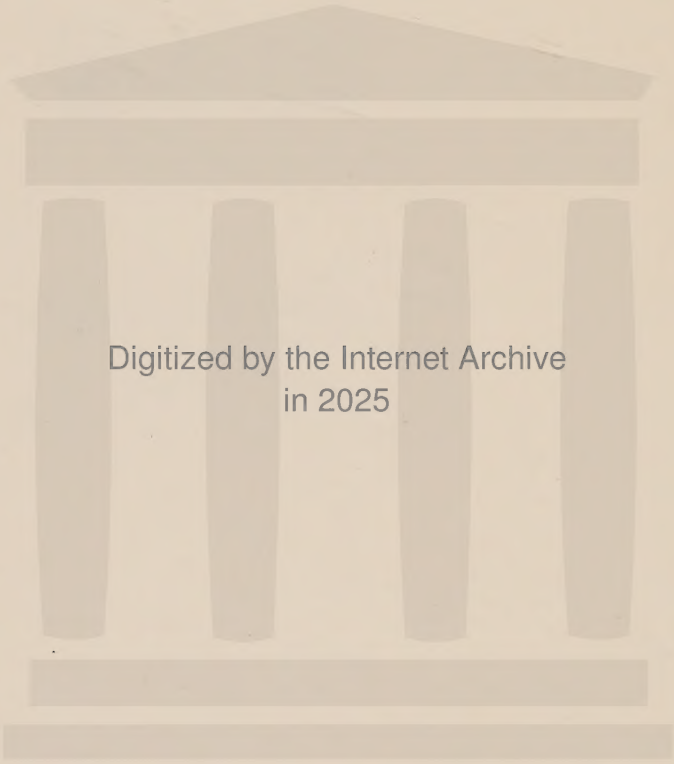

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EARLY SCOTTISH CHARTERS

PRIOR TO A.D. 1153

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Early Scottish Charters

Prior to A.D. 1153

Collected, with Notes and an Index, by

Sir Archibald C. Lawrie

Glasgow
James MacLehose and Sons
Publishers to the University
1905

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PREFACE

In 1800 the Deputy-Keeper of the Records of Scotland suggested the publication of the Royal charters granted prior to the reign of Robert the Bruce, and in 1814 it was stated in the Preface to the Register of the Great Seal that some progress had been made in the work, but it was abandoned, and now more than a hundred years later I have endeavoured to collect the charters and other documents written in Scotland, or by or to Scotsmen, prior to the death of David I. in 1153. The task has been comparatively easy, because nearly all the charters, etc., had been printed, one hundred and thirty-four in chartularies by the Bannatyne Club, fourteen by the Maitland Club, six by the Spalding Club, five by the Grampian Club, and others by the Surtees Society and the Society of Antiquaries of Scotland.

To Dr. Raine I am indebted for forty-three original charters, in his magnificent work on North Durham. I have taken seventeen letters and ecclesiastical documents from the second volume of Haddan and Stubbs's 'Councils,' and eleven charters from Dugdale's 'Monasticon.' Besides these I have reprinted charters from the Record edition of the Scots Acts of Parliament, from M. Merlet's 'Cartulaire de l'Abbaye de Tiron,' from Mr. Farrer's 'Lancashire Pipe Rolls,' etc., from Stevenson's 'Illustrations,' and from Morton's 'Monastic Annals.'

Some charters from manuscripts in the British Museum

and in the Register House in Edinburgh are here printed for the first time.

I hope some readers may be glad to have these documents collected in a single volume, printed in intelligible Latin, with explanatory and critical notes.

The little that is known of Scottish history before the end of the eleventh century is derived from English and Irish chronicles and annals. If there were earlier Scottish writers, and if grants and transfers of land were committed to writing, the writings have perished; only a few notitiae written in the twelfth century record the tradition of older grants to two or three religious houses. Not many of the charters of the first half of the twelfth century remain; the majority have come down to us copied in the chartularies of several monasteries; most of these copies are genuine, though some were composed by monks anxious to make a title to lands the original grants for which had been lost.

I have in the notes expressed doubts as to several charters which have hitherto been accepted as genuine. If my criticism of the foundation charter of Scone, of the 'Inquisitio David,' and others, be well founded, some conclusions drawn by historians must be modified.

The charters granted to English monasteries by King David and Earl Henry draw attention to the fact that they held Carlisle and many lands in Cumberland, that they were Earls of Northampton and Northumberland, and were lords of the Honour of Huntingdon.

Mr. Farrer discovered in the Register of the Abbey of Shrewsbury charters which proved that King David for some years held the honour of Lancaster north of the Ribble. It is probable that other charters of King David and his son may yet be discovered in England.

I have in my notes tried to illustrate the history and character of many remarkable men,—the Kings, Edgar

Alexander and David; Turgot and Eadmer and Robert, Bishops of St. Andrews; Hugo de Moreville; John, Bishop of Glasgow; William Fitz Duncan; William Cumyn, the chancellor, Earl Henry—these and many others become very interesting when the charters and chronicles are studied.

I have not included in this volume the Assise David nor the Leges Quatuor Burgorum, as I do not consider them to be genuine productions of the reign of David I.

The Assise David which appears in the older MSS. contains many laws later than the reign of King David; the attempt by Mr. Thomas Thomson, more than three-quarters of a century ago, to cull from many manuscripts those laws which belong to the first half of the twelfth century, was not, I think, entirely successful.

The Leges Quatuor Burgorum were compiled after burghs had become self-governing corporations. In the reign of David I. burgesses had not passed beyond the stage of being the king's immediate tenants, holding tofts in the land round a castle, owing rent to the king, with defined duties of watching and warding, and protected by privileges, especially in regard to buying and selling.

The history of Scottish law, and the separation of what was borrowed and what is of local origin, deserve more space than the limits of this volume admitted.

I thank Mr. Maitland Thomson, the Rev. Mr. Paton, Mr. Murray Rose, and my friend, Professor Kirkpatrick, for kind encouragement and assistance.

A. C. L.

THE MOSS, *January*, 1905.

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I.

Notitiae of Grants to the Church of Deer, A.D. 565-1100.

Translated from the Gaelic in the Book of Deer.

COLUMCILLE and Drostan son of Cosgrach his pupil, came from I, as God had shown to them, unto Abbordoboir and Bede the Pict was mormaer of Buchan before them and it was he who gave them that town in freedom for ever from mormaer and toisech.

They came after that to the other town and it was pleasing to Columcille because it was full of God's grace and he asked the mormaer, Bede, to give it to him: he did not give it; and after refusing the clerics, a son of his took an illness and was nearly dead.

Then the mormaer went to entreat the clerics that they should pray for his son, that health should come to him: and he gave them as an offering from Cloch in tiprat to Cloch pette mic Garnait.

They prayed and health came to the son.

After that Columcille gave to Drostan that town and blessed it and left as (his) word "Whoever shall come against it shall not be many-yeared victorious." Drostan's tears (deara) came on parting with Columcille.

Said Columcille, "Let Dear be its name henceforward."

COMGEALL son of Æd gave from Orti to Furene to Columcille and to Drostan. Moridach son of Morcunn gave Pett meic Garnait and Achad toche temni; and it was he who was mormaer and was toisech.

Matain son of Caerill gave the mormaer's share in Altere and Culi son of Baten gave the toisech's share.

Domnall son of Girec and Maelbrigte son of Cathal gave Pett in Mulenn to Drostan.

Cathal son of Morcunt gave Achadnaglerech to Drostan.

Domnall son of Ruadri and Maelcoluim son of Culeon gave Bidbin to God and to Drostan.

MAELCOLOUIM son of Cinaed gave the king's share in Bidbin and in Pett meic Gobroig and two davochs of Upper Rosabard.

Maelcoluim son of Maelbrigte gave the Delerc.

Maelsnecte son of Luloeg gave Pett Maelduib to Drostan. Domnall son of Mac Dubbacin dedicated all the offerings to Drostan giving the whole to him. Cathal dedicated in the same way his toisech's share and gave a dinner of a hundred every Christmas and every Easter to God and to Drostan. Cainnech son of Mac Dobarchon gave Alterin alla bhethe na camone as far as the birch tree between the two Alterins. Domnall and Cathal gave Etdanin to God and to Drostan. Cainnech and Domnall and Cathal dedicated to God and to Drostan all these offerings from beginning to end in freedom from mormaer and from toisech to the day of judgment.

And the Lord's blessing on every mormaer and on every toisech who shall fulfil these, and to their descendants after them.

Donchad son of Mac Bethad son of Hided gave Achad Madchor to Christ and to Drostan and to Columcille

in freedom for ever. Malechi and Comgell, and Gillechrist, son of Fingune, attest in witness whereof, and Maelcoluim son of Moline.

Cormac son of Cinnedig gave as far as Scale Merlech.

Comgell son of Caennech toisech of Clan Canan gave to Christ and to Drostan and to Columcille as far as Gort lie Mor at the hither end which is nearest to Aldin Alenn from Dobaci to Lurchari both mountain and field in freedom from toisech for ever: and his blessing on every one who shall fulfil this and his curse on every one who shall go against it.

II.

Letter of Alcuin to the Monks of Whitherne, A.D. 782-804.

2 Concil. p. 8.

ALCUINUS ad fratres Sancti Niniani Candidae Casae, Venerandae dilectionis fratribus in loco Deo servientibus qui dicitur Candida Casa, Alcuinus diaconus, salutem.

Deprecor vestrae pietatis unanimitatem, ut nostri nominis habeatis memoriam, et intercedere pro mea parvitate dignemini in ecclesia sanctissimi patris nostri Nynia episcopi, qui multis claruit virtutibus, sicut mihi nuper delatum est per carmina metricae artis, quae nobis per fideles nostros discipulos Eboracensis ecclesiae scholasticos directa sunt, in quibus et facientis agnovi eruditionem, et ejus perficientis miracula sanctitatem, per ea quae ibi legebam.

Quapropter obnixius deprecor, ut sanctis orationibus vestris illius me precibus commendare studeatis, quatenus per ejusdem patris vestri piissimas preces et vestrae caritatis assiduas intercessiones peccatorum meorum veniam, Deo Christo miserante, accipere merear, et ad sanctorum pervenire consortia qui saeculi labores fortiter vicerunt et ad coronam perpetuae laudis pervenerunt.

Direxi ad sancti patris nostri Nyniga corpus [velum] olosericum ob memoriam nostri nominis, ut illius atque vestram piam merear intercessionem habere semper. Protegat atque regat Christi vos dextera fratres.

III.

Notitia of an agreement between the Keledei of Loch Leven and the Bishop of St. Andrews, ante A.D. 955.

Registr. Prior. St. Andreae.

BRUDE filius Dergard, qui ultimus regum Pictorum secundum antiquas traditiones fuisse recolitur, contulit insulam Lochleuine Deo Omnipotenti et Sancto Servano et keledeis heremetis ibidem commorantibus et Deo servientibus et servituris in illa insula. Et praefati keledei dederunt locum cellulae episcopo Sancti Andreae sub tali forma, quod episcopus exhiberet eis victum et vestitum. Et ne ignoretur quis contulit episcopo locum ibi, Ronanus monachus et abbas, vir admirandae sanctitatis, primo concessit precario locum ibi episcopo scilicet Fothath filio Bren qui nunc et tunc per totam Scotiam fuit celebris et satis commendabilis vitae.

Praefatus episcopus dedit benedictionem suam plenarie omnibus his qui observarent conventionem istam et amicitiam initam inter episcopum et keledeos et versa vice dedit maledictionem suam omnibus episcopis qui infirmarent et revocarent praefatam conventionem.

IV.

Charter by Malcolm II. to Bishop Beyn of Mortlach, A.D. 1011.

(Spurious.) Printed in the Registr. Episc. Aberdon., I. p. 3.

MALCOLMUS Rex Scottorum, omnibus probis hominibus suis tam clericis quam laicis, salutem.

Sciatis me dedisse et hac carta mea confirmasse Deo et Beatae Mariae et omnibus Sanctis, et Episcopo Beyn de Morthelach, ecclesiam de Morthelach ut ibidem construatur sedes episcopalis, cum terris meis de Morthelach, ecclesiam de Cloueth cum terra, ecclesiam de Dulmech cum terra, ita libere sicut eas tenui et in puram et perpetuam elemosinam : Teste meipso apud Forfare octavo die mensis Octobris anno regni mei sexto.

V.

Notitiae of Grants by Macbeth and Gruoch, King and Queen of Scots, to the Church of Saint Serf, A.D. 1040-1057.

Registr. Prior. St. Andreae.

MACHBET filius Finlach contulit pro suffragiis orationum et Gruoch filia Bodhe, Rex et Regina Scottorum, Kyrkenes Deo Omnipotenti et keledeis praefatae insulae Lochleuine, cum suis finibus et terminis.

[Hi enim sunt fines et termini de Kyrkenes et villulae quae dicitur Pethmokanne, de loco Moneloccodhan usque ad amnem qui dicitur Leuine et hoc in latitudine ; item a publica strata quae ducit apud Hinhirkethy usque ad saxum hiberniensium et hoc in longitudine; et dicitur saxum hiberniensium, quia Malcolmus Rex filius Duncani concessit eis salinagium quod Scotice dicitur Chonnane. Et venerunt hibernienses ad Kyrkenes ad domum cujusdam viri nomine Mochan, qui tunc fuit absens et solummodo mulieres erant in domo, quas oppresserunt violenter hibernienses, non tamen sine rubore et verecundia. Rei et eventu ad aures praefati Mochan pervento, iter quam totius domi festinavit et

invenit ibi hibernienses in eadem domo cum matre sua. Exhortatione etenim matris suae saepius facta ut extra domum veniret quae nullatenus voluit, sed hibernienses voluit protegere et eis pacem dare, quos omnes praefatus vir in ultionem tanti facinoris ut oppressores mulierum et barbaros et sacrilegos in medio flammae ignis una cum matre sua viriliter combussit. Et ex hac causa dicitur locus iste saxum hiberniensium.]

Cum omni libertate collata fuit villa de Kyrkenes, Deo Omnipotenti et keledeis absque omni munere et onere et exactione regis et filii regis, vicecomitis et alicujus et sine refectione pontis et sine exercitu et venatione sed pietatis intuitu et orationum suffragiis . . .

CUM summa veneratione et devotione Makbeth Rex contulit Deo et Sancto Servano de Lochleuyn et heremitis ibidem Deo servientibus, Boigyne filii Torfyny cum omni libertate et sine onere exercitus regis et filii ejus vel vicecomitis et sine exactione alicujus sed caritatis intuitu et orationum suffragiis

VI.

Notitia of a Grant by Maldunus, Bishop of St. Andrews, to the Keledei of Loch Leven, ante A.D. 1055.

Registr. Prior. St. Andreae.

MALDUNUS, episcopus Sancti Andreae, contulit ecclesiam de Marchinke cum tota terra, honorifice et devote, Deo et Sancto Servano et keledeis de insula Louchleuen cum praefata libertate.

VII.

Notitia of a Grant by Tuadal, Bishop of St. Andrews, to the Keledei of Loch Leven, A.D. 1055-1059.

Registr. Prior. St. Andreae.

TUADAL episcopus Sancti Andreae, contulit ecclesiam de Sconyn praefatis viris religiosis devote et integre cum omni libertate et honore pro suffragiis orationum.

VIII.

Notitia of a Grant by King Malcolm III. and Queen Margaret to the Keledei of Loch Leven, A.D. 1070-1093.

Registr. Prior. St. Andreae.

MALCOLMUS Rex et Margareta Regina Scotiae contulerunt devote villam de Ballecristin Deo Omnipotenti et keledeis de Louchleuen cum eadem libertate ut prius.

IX.

Letter from Lanfranc, Archbishop of Canterbury, to Margaret, Queen of Scotland, A.D. 1070-1089.

Scala Chronica, ed. Stevenson, Edin. 1836, p. 222.

LANFRANCUS indignus Sanctae Cantuariensis Ecclesiae Antistes, gloriosae Scottorum Reginae M. salutem et benedictionem.

Explicare non potest epistolaris brevitas quanta cor meum laetitia perfudisti, lectis litteris tuis quas mihi, Deo amabilis Regina, misisti.

O quanta jucunditate verba profluunt quae Divino Spiritu inspirata procedunt! Credo enim non a te, sed per te dicta esse quae scripseras.

Revera per os tuum locutus est Ille qui discipulis suis ait "Discite a me quia mitis sum et humilis corde." De hac Christi disciplina processit, quod regali stirpe progenita, regaliter educata, nobili regi nobiliter copulata, me hominem extraneum, vilem, ignobilem, peccatis involutum, in patrem elegis, teque mihi in filiam spiritualiter habendam precaris.

Non sum quod putas, sed sim quia putas. Ne decepta remaneas, ora pro me ut sim dignus pater orare Dominum et exaudiri pro te.

Orationum et benefactorum sit inter nos commune commercium, parva quidem tribuo, sed multo majora me recepturum esse confido. De hinc igitur sim pater tuus et tu mea filia esto.

Mitto glorioso viro tuo et tibi carissimum fratrem nostrum dominum Goldewinum, secundum petitionem tuam, alios quoque duos fratres, quia quod de servitio Dei et vestro fieri oportet, solus ipse per se explere non posset. Et rogo, multumque rogo, quatenus quod pro Deo et pro animabus vestris coepistis, instanter et efficaciter perficere studeatis: et si possetis aut velitis opus vestrum per alios adimplere multo desiderio vellemus hos fratres nostros ad nos redire, quia valde in officiis suis necessarii erant ecclesiae nostrae. Fiat tamen voluntas vestra, et per omnia desideramus obedire vobis.

X.

Charter by Malcolm III. to the Church of Dunfermline, A.D. 1070-1093.

(Spurious.) Printed in the Registr. de Dunfermelyn, p. 417.

In nomine Sanctae Trinitatis, Ego Malcolmus Dei gratia Scottorum Basileus auctoritate regia et potestate, Margaretae Reginae uxoris meae, episcoporum comitum

baronumque regni mei confirmatione et testimonio, clero etiam adquiescenteque populo.

Sciant praesentes et futuri me fundasse abbatiam in Monte infirmorum in honorem Dei omnipotentis et sanctae et individuae Trinitatis, pro salute animae meae et omnium antecessorum meorum et pro salute animae Reginae Margaretae uxoris meae et omnium successorum meorum.

Concessi enim et hac carta mea confirmavi praedictae abbatiae omnes terras et villas de Pardusin, Pitnaurcha, Pittecorthin, Petbachichin, Lauar, Bolgin et schiram de Kirkaladunt et Inneresc minorem, cum tota schira de Fotriffe et Muselburge cum omnimodis suis pertinentiis tam in capellis et decimis aliisque oblationibus quam in omnibus aliis ad eas terras villas et schiras juste spectantibus, ita libere sicut aliquis rex aliquas elemosinas unquam dedit vel contulit ab initio mundi ad hunc diem.

Testibus Ivo Kelledeorum Abbate. Mackduffe Comite. Duncano Comite . Araldo Comite . Neis filio Willelmi. Merleswain. Apud Edinburge.

XI.

Notitia of a Grant by Modach, Bishop of St. Andrews, to the Church of St. Serf, ante A.D. 1093.

Registr. Prior. St. Andreae.

MODACH filius Malmykel vir piissimae recordationis episcopus Sancti Andreae, cujus vita et doctrina tota regio Scottorum feliciter est illustrata, contulit Deo et Sancto Servano et keledeis heremitis apud insulam Louchleuen in scola virtutum ibidem degentibus devote et honorifice, cum praefatis libertatibus, ecclesiam de Hurkenedorath,

istae sunt antiquae praestationes et canones quas praefatae ecclesiae solvebant antiquitus scilicet XXXta panes decoctos cum antiqua mensura farinae ibi apposita et XXXta caseos quorum quilibet facit Chudreme et octo male de braseo et Derchede male et Chedher male.

XII.

Charter by King Duncan II. to the Monks of St. Cuthbert, A.D. 1094.

The original is in the Treasury at Durham.

EGO Dunecanus, filius regis Malcolumb, constans hereditarie rex Scotiae, dedi in elemosinam Sancto Cuthberto et suis servitoribus, Tiningeham, Aldeham, Scuchale, Cnolle, Hatheruuich et de Broccesmuthe omne servitium quod inde habuit Fodanus episcopus, et haec dedi in tali quitantia cum saca et soca qualem unquam meliorem habuit Sanctus Cuthbertus ab illis de quibus tenet suas elemosinas. Et hoc dedi pro me ipso et pro anima patris mei et pro fratribus meis et pro uxore mea et pro infantibus meis. Et quum volui quod istud donum stabile esset Sancto Cuthberto, feci quod fratres mei concesserunt. Qui autem istud voluerit destruere vel ministris Sancti Cuthberti aliquod inde auferre, maledictionem Dei et Sancti Cuthberti et meam habeat. Amen.

Crux Dunecani Regis ✕ Scriptoris Grentonis ✕
Accard ✕ Ulf ✕ Malcolumb ✕ Eadgari ✕
Hermer ✕ Œlfric ✕ Earnulf ✕ Vinget ✕
Hemming ✕ Teodbold ✕

XIII.

Grant by Donald son of King Conchat.

Registr. Prior. St. Andreae.

DOUENALD filius Conchat Regis dedit omnimodam libertatem duabus villis scilicet de Kyrkenes et de Pettenmokane cum ceteris regibus scilicet Duncano rege Edgaro et Alexandro et David fratribus ejusdem et omnibus villis quascunque tunc habuerunt vel postea habere potuerunt.

XIV.

Notitia of a Grant by Ethelred, son of King Malcolm III. to the Keledei of Loch Leven, A.D. 1093-1107.

Registr. Prior. St. Andreae.

EDELRADUS vir venerandae memoriae, filius Malcolmi Regis Scotiae, Abbas de Dunkeldense et insuper Comes de Fyf contulit Deo Omnipotenti et Sancto Servano et keledeis de insula Louchleuen cum summa reverentia et honore et omni libertate et sine exactione et petitione cujusquam in mundo, episcopi vel regis vel comitis, Admore cum suis rectis terminis et divisis. Et quia illa possessio fuit illi tradita a parentibus suis cum esset in juvenili aetate idcirco cum majori affectione et amore illam obtulit Deo et Sancto Servano et praefatis viris Deo servientibus et ibidem servituris. Et istam collationem et donationem primo factam confirmaverunt duo fratres Hedelradi, scilicet David et Alexander, in praesentia multorum virorum fidedignorum, scilicet Constantini comitis de fyf viri discretissimi et Nesse et Cormac filii Macbeath et Malnethte filii Beollani sacerdotum de

Abyrnethyn et Mallebride alterius sacerdotis et Thuadhel et Augustini sacerdotis keledeorum, Berbeadh rectoris scolarum de Abyrnethyn et coram cetibus totius universitatis tunc de Abyrnethyn ibidem degentibus et coram Deo Omnipotenti et Omnibus Sanctis. Et ibi data est plenarie et universaliter ab omnibus sacerdotibus clericis et laicis, maledictio Dei Omnipotentis et Beatae Mariae Virginis et Omnium Sanctorum ut Dominus Deus daret eum in exterminium et perditionem et in omnes illos quicunque irritarent et revocarent et deminuerent elemosinam de Admore. Omni populo respondente fiat. Amen.

XV.

Charter by King Edgar to Durham,

A.D. 1095.

(Spurious.) From a copy in the Treasury at Durham.

In nomine patris et filii et spiritus sancti, Amen.

Notum sit omnibus Christi fidelibus praesentibus et futuris quod Ego Edgarus filius Malcolmi Regis Scottorum, totam terram de Lodoneio et regnum Scotiae dono domini mei Willelmi Anglorum Regis et paterna hereditate possidens, consilio praedicti domini mei Regis Willelmi et fidelium meorum, pro animabus patris mei et matris meae necnon et fratrum meorum Doncani et Edwardi et pro salute corporis mei et animae meae et pro omnibus antecessoribus et successoribus meis, do Deo Omnipotenti et ecclesiae Dunelmensi et Sancto Cuthberto glorioso pontifici et Willelmo episcopo et monachis in eadem ecclesia Deo servientibus et in perpetuum servituris, mansionem de Berwic et cum ista mansione has subscriptas mansiones scilicet Greiden . leinhale . dilsterhalle . brygham . Edrem . Chirnesid . Hilton . Blakedir . Chynbrygham . huton . Regninton . paxton . fulden . Morthyngton . Lamberton . aliam Lamberton . Hadryngton . Fyschewike . Horford . Upsetinton et mansionem de Collingam et cum ista

mansione has subscriptas mansiones scilicet Aldcambus . lummesden . Reston . Suineston . Faudon . Ayton . aliam Ayton . Prendirgest . Cramsmowth . Hadynton, has suprascriptas mansiones do Deo et Sancto Cuthberto cum omnibus terris et silvis et aquis et theloneis et fracturis navium et cum omnibus consuetudinibus quae pertinent ad praedictas mansiones et quas pater meus in eis habuit quietas solidas secundum voluntatem Dunelmensis episcopi in perpetuum libere disponendas.

Signum ✕ Egari Regis . Signum Alexandri fratris ejus. S ✕ Menyanium . Agulfi . S. filii doncani . Eyluerti. S. ✕ filii Eghe Omani. S. ✕ Edgari aederling. Uhtredi. S. filii Magdufe, Constantini. S. ✕ Rodberti de humet. S ✕ Ætele. A ✕ gulfi. S. Alimoldi filii sui. ✕ David

Haec carta firmata est iiij^{to} Kalendis Septembris in cimiterio Sancti Cuthberti apud Norham, praesente Willelmo episcopo et Durgoto priore et Ansketillo praeposito de Norham et Ilgero de Corneford et Waltero de Valonis et Galfrido de Aldreio et Willelmo filio Almodi et Johanne de Amundivilla et Rachone lotharingo et Gilberto et Wilfrido et Alimodo filio Makodi et Anulfo fratre suo et praesente maxima multitudine Francorum et Anglorum quorum nomina longum est inscribere. Hoc autem factum est eo anno quo Rex Willelmus, filius magni Regis Willelmi, fecit novum castellum apud Bebbanburgh super Robertum Comitem Northanhymbrorum.

Ista carta est sigillata cum sigillo rotundo dicti regis Edgari, pendente cum filo serico et est in medio ejusdem sigilli ymago dicti regis Edgari, sedens cum parva corona in capite et habet in una manu sceptrum et in altera gladium et habet superscriptionem Ymago Edgari Scottorum Regis.

XVI.

Confirmation by King William II. of England, A.D. 1095-1100.

(Spurious?) The original is in the Treasury at Durham.

WILLELMUS Rex Anglorum, Thomae Eboracensi Archiepiscopo et omnibus suis fidelibus Francis et Anglis et Scottis, salutem.

Sciatis me concessisse Deo Omnipotenti et ecclesiae Dunelmensi et Sancto Confessori Cuthberto et Willelmo episcopo, et monachis in eadem ecclesia Deo servientibus et in perpetuum servituris, terras in Lodoneio quas Eadgarus Rex filius Malcolmi Regis Scottorum Deo et supradictae ecclesiae me concedente donavit mansionem scilicet de Berwic, et has subscriptas mansiones, Greidene . leinhale . dylsterhale . bricgham . ederham . cirneside . hyltun . blaccedre . cynebritham . hotun . reinintun . paxtun . fugeldene . morthintun . lambertun aliam lambertun . hoedrintun . fiscwic . horeford . upsetintun et mansionem de Collingaham et has subscriptas mansiones aldcambus . lummesdene . ristun . suinestun . fardun . eitun . aliam eitun . prenegest . cramesmuthe . hoedentun.

Has suprascriptas mansiones cum adjacentibus terris et silvis et aquis et omnibus theloneis et navium fracturis et aliis consuetudinibus suis, sicut eas Malcolmus Rex unquam melius habuit Deo et Sancto Cuthberto in perpetuum concedo. Testibus Willelmo cancellario et Roberto filio Haimonis.

XVII.

Charter of King Edgar, A.D. 1095.

(Spurious.) The original is in the Treasury at Durham.

EDGARUS Dei gratia Rex Scottorum Omnibus ad quos praesentes litterae pervenerint tam Francis et Anglis quam

Scottis, salutem. Sciatis nos ex licentia Willelmi Regis Angliae superioris domini regni Scotiae pro animabus Malcolmi patris nostri et Margaretae matris nostrae ac pro animabus Edwardi et Duncani fratrum nostrorum necnon pro salute nostra, dedisse et concessisse Deo et Sancto Cuthberto confessori, Willelmo episcopo, Drugeto priori et monachis Dunolmie Deo servientibus in perpetuum, baroniam et manerium de Coldingham cum his mansionibus subscriptis scilicet Berwic, Oldcambows, Lummesden, Restonam, Faudonam, Aytonam aliam Aytonam, Prendregest, Cramesmouth, Graiden, Leinhale, Dilchestre, Ederham, Chirnside, Hiltonam, Blaketyr, Hotonam, Rayntonam, Paxtonam, Fulden, Morttringtonam, Lambertonam aliam lambertonam, Edingtonam, Horford, Fishewic, et Upesetlington cum omnibus pertinentiis juribus et decimis garbarum et feni cum omnibus libertatibus et franchesiis regalibus adeo libere et plenarie sicut praedictus pater noster et dominus illa tenuit. Habenda et tenenda omnia et singula praedicta baroniam et manerium, mansiones, decimas cum omnibus libertatibus franchesiis regalibus et juribus quibuscunque praedictis episcopo priori et monachis ac eorum successoribus de nobis et heredibus nostris in puram et perpetuam elemosinam in perpetuum.

Et nos et heredes nostri omnia et singula praedicta baroniam manerium mansiones decimas cum omnibus libertatibus franchesiis regalibus et juribus quibuscunque ut praedictum est praefatis episcopo priori et monachis et eorum successoribus contra omnes gentes protegemus in perpetuum et defendemus. In cujus rei testimonium praesentibus litteris nostris sigillum nostrum apponi fecimus apud Norham in praesentia praedicti Regis Willelmi Angliae superioris domini regni Scotiae, et praedictorum episcopi et prioris, Walteri Valensis, Odnelli Umfraville, Rachonis de Loreyns, Odnelli Heron, Roberti de Amundivilla et maximae multitudinis Francorum Anglorum et Scottorum.

XVIII.

Grant of Coldingham by King Edgar to the Monks of St. Cuthbert, circa A.D. 1098.

The original is lost; it was formerly in the Treasury at Durham.

EDGARUS Dei gratia Rex Scottorum omnibus per regnum suum Scottis et Anglis salutem. Sciatis me dedisse Omnipotenti Deo et ejus sancto confessori Cuthberto et monachis ejus pro animabus patris et matris meae et pro salute animae meae et fratrum et sororum mearum, Coldingham et omnes illas terras quas habent in Lodoneo, ita liberas et quietas, cum omnibus consuetudinibus, sicut eas ego ipse habui in mea propria manu. Et volo et praecipio omnibus meis hominibus ut nullus illorum eis aliquam molestiam vel injuriam inde faciat vel hanc meam donationem infringat, sed in pace quiete et honorifice in perpetuum habeant eas et teneant.

XIX.

Grant by King Edgar to the Monks of St. Cuthbert of Coldingham and other lands, circa A.D. 1100.

The original is in the Treasury at Durham.

EADGARUS Rex Scottorum omnibus suis hominibus Scottis et Anglis salutem. Sciatis quod ego do in elemosinam, Deo omnipotenti et Sancto Cuthberto domino meo et ecclesiae Dunelmensi et monachis in eadem ecclesia Deo servientibus, et in perpetuum servituris, pro animabus patris mei et matris meae et pro salute corporis mei et animae meae et fratrum meorum et sororum mearum et pro omnibus antecessoribus et successoribus meis, man-

sionem de Goldingaham, et cum ista mansione has subscriptas mansiones scilicet, Aldcambus, Lummesdene, Regnintun, Ristun, Swinewde, Farndun, Eitun, aliam Eitun, Prenegest, Cramesmudhe. Has suprascriptas mansiones concedo Deo et Sancto praedicto et monachis ejus, cum omnibus terris silvis et aquis et teloneis et fracturis navium et omnibus consuetudinibus quae pertinent ad praedictas mansiones et quas pater meus habuit, quietas et solidas, secundum voluntatem illorum in perpetuum libere disponendas.

XX.

Charter by King Edgar granting Swinton to the Monks of St. Cuthbert, circa A.D. 1100.

The original is in the Treasury at Durham.

EADGARUS Rex Scottorum, omnibus per regnum suum Scottis et Anglis, salutem. Sciatis me ad dedicationem venisse ecclesiae Sanctae Mariae apud Coldingaham quaequidem dedicatio ad Dei laudem et ad meum placitum grata omnibus et accepta honorabiliter est adimpleta. Et ego eadem ecclesiae super altare obtuli in dotem et donavi villam totam Swintun cum divisis sicut Liulf habuit, liberam et quietam in perpetuum habendam ab omni calumnia et ad voluntatem monachorum Sancti Cuthberti disponendam, pro animabus patris et matris meae et pro salute animae meae et fratrum et sororum mearum. Donavi etiam monachis XXIIII animalia ad restaurandam illam eandem terram: et constitui eandem pacem in Coldingaham eundo et redeundo et ibidem manendo quae servatur in Eilande et in Northam. Insuper etiam statui hominibus in Coldingamscire sicut ipsi elegerunt et in manu mea firmaverunt, ut unoquoque anno de unaquaque carruca, dimidiam marcam argenti monachis persolvant; Testibus Ælfwino, Oter et Thor longo, et

Ælfrico pincerna, et Algaro presbitero, et Osberno presbitero, et Cnut Carl s̄ et Ogga et Lesing et Swein Ulfkill s̄ et Ligulf de Bebbanburch et Uhtred Eilaues sune et Uniaet thwite et Tigerne.

XXI.

Charter by King Edgar granting Paxton to the Monks of St. Cuthbert, circa A.D. 1100.

The original is in the Treasury at Durham.

EDGARUS Rex Scottorum, omnibus in regno suo Scottis et Anglis, salutem. Sciatis quod ego concedo et dono domino meo, Sancto Cuthberto, et monachis ejus, Paxtun, ita sicut ego eam habui, cum hominibus terris et aquis, et monachi eam possideant ita libere et quiete sicut Coldingham ad voluntatem suam. Valete.

XXII.

Charter by King Edgar granting Fishwick, etc., to the Monks of St. Cuthbert, circa A.D. 1100.

The original is in the Treasury at Durham.

EADGARUS Dei gratia Rex Scottorum, omnibus suis fidelibus per regnum suum Scottis et Anglis, salutem. Sciatis quod ego dono in elemosinam Deo et Sancto Cuthberto et monachis ejus, Fiscwic, tam in terris quam in aquis et cum omnibus sibi adjacentibus et nominatim illam terram quae jacet inter Horuerdene et Cnapadene, pro anima patris et matris meae et pro salute animae meae et fratrum meorum et sororum, liberam et quietam tenendam et habendam et ad voluntatem monachorum Sancti Cuthberti, domini mei, disponendam. Valete.

XXIII.

Notitia of a Grant by King Edgar to the Keledei of St. Serfs, A.D. 1097-1107.

Registr. Prior. St. Andreae.

EDGARUS filius Malcolmi, Rex Scotiae, contulit in elemosinam Deo Omnipotenti et praedictis keledeis, Petnemokane cum omnibus libertatibus sicut praenotatum est in capitulo praecedente. (See No. V.)

XXIV.

Charter by Thor Longus to the Monks of St. Cuthbert, circa A.D. 1105.

The original is in the Treasury at Durham.

OMNIBUS sanctae matris ecclesiae filiis, Thor longus in Domino salutem. Sciatis quod Ædgarus, dominus meus, Rex Scottorum, dedit mihi Ædnaham desertam quam ego suo auxilio et mea propria pecunia inhabitavi, et ecclesiam in honorem Sancti Cuthberti fabricavi, quam ecclesiam cum una carrucata terrae Deo et Sancto Cuthberto et monachis ejus in perpetuum possidendam dedi. Hanc igitur donationem feci pro anima domini mei, regis Ædgari, et pro animabus patris et matris illius et pro salute fratrum et sororum ipsius et pro redemptione Leswini, fratris mei dilectissimi, et pro meimet ipsi tam corporis quam animae salute. Et si quis hanc meam donationem Sancto praedicto et monachis sibi servientibus aliqua vi vel ingenio auferre praesumpserit, auferat ab eo Deus Omnipotens vitam regni coelestis et cum diabolo et angelis ejus poenas sustineat aeternas: Amen.

XXV.

Anselm, Archbishop of Canterbury, to Alexander I., A.D. 1107.

Gerberon, Lib. III. Epis. 132.

ALEXANDRO gratia Dei Scottorum Regi, Anselmus servus Ecclesiae Cantuariensis, salutem et fideles orationes et benedictionem Dei et suam quantum valet, gratias agimus Deo et gaudemus ego et tota congregatio Ecclesiae Christi Cantuariensis quia Deus vos in regnum paternum hereditario jure post fratrem vestrum sublimavit et quia vos moribus dignis regno decoravit. Pro fratre vestro, qui sancte vivendo meruit ut de hac vita bono fine misericordia Dei transiret, sicut pro dilecto dilectore nostro, secundum petitionem vestram, oramus et orabimus, ut Deus animae illius gloriae suae cum electis suis gaudium aeternum tribuat, et aeternam beatitudinem concedat.

Scio quia celsitudo vestra meum amat et desiderat consilium, in primis igitur oro Deum ut Ipse vos sancti sui Spiritus gratia sic dirigat, et in omnibus actibus vestris consilium attribuat, ut ad regnum coeleste post hanc vitam vos perducat. Nostrum autem consilium est ut timorem Dei et bonos ac religiosos mores quos in adolescentia et ab infantia coepistis habere, Ipso adjuvante, a quo accepistis, studeatis tenere. Tunc enim bene reges regnant, cum secundum voluntatem Dei vivunt, et serviant Ei in timore et cum super seipsos regnant, nec se vitiis subjiciunt sed illorum importunitatem constanti fortitudine superant. Non enim repugnant in rege virtutum constantia et fortitudo regia. Quidam

enim reges, sicut David, et sancte vixerunt et populum sibi commissum cum rigore justitiae et pietatis mansuetudine secundum quod res exigit, rexerunt. Sic vos exhibete ut mali vos timeant et boni vos diligant, et ut vita vestra semper Deo placeat, semper mens vestra vindictam malorum et premium bonorum post hanc vitam memoria retineat. Omnipotens Deus vos et omnes actiones vestras nulli alii, quam suae piae dispositioni committat.

De fratribus nostris quos in Scotiam secundum voluntatem fratris vestri, qui de labore hujus vitae, sicut credimus, ad requiem transivit, misimus, benignitatem vestram rogare necesse non putavimus, quia bonam voluntatem vestram non ignoramus.

XXVI.

Confirmation by King Alexander I. to the Monks of St. Cuthbert, circa A.D. 1110.

The original is in the Treasury at Durham.

ALEXANDER Dei gratia Rex Scottorum, Algaro priori omnique congregationi Sancti Cuthberti, salutem.

Sciatis quod ego dono et concedo ex mea parte Deo et Sancto Cuthberto et vobis suis monachis, Swintunam totam liberam et quietam tenendam et omnino habendam sicut breve fratris mei Eadgari regis vobis testatur. Et praeterea praecipio et defendo ne aliquis vestrum ullo modo de eadem Swintuna placitet aut respondeat ulli homini nisi ego ipse ore ad os vel meis litteris praecepero. Quia ego et frater meus David elemosinam fratris nostri Eadgari et nostram similiter, Sancto praedicto et vobis monachis acquietabimus.

XXVII.

Mandate by King Alexander to the Prior of Durham regarding Swinton, circa A.D. 1110.

The original is in the Treasury at Durham.

ALEXANDER Dei gratia Rex Scottorum, Priori Algaro et totius conventui ecclesiae Sancti Cuthberti salutem.

Mando et praecipio vobis ut nullo modo intretis placitum neque in aliquam diratiocinationem de terra de Suintune ante quam veniat ante me. Tibi etiam, domine prior, notum facio quia de multis rebus multa vobis habeo secrete loqui quam citius fieri poterit. Valete.

XXVIII.

Alexander I., King of Scots, to Ralph, Archbishop of Canterbury, A.D. 1115.

Eadmer, Hist. Nov., v. (Selden, p. 117).

DOMINO et Patri carissimo Radulfo, venerabili Cantuariensi Archiepiscopo, Alexander Dei misericordia Rex Scottorum, salutem et devotae fidelitatis obsequium.

Notificamus vobis, benignissime pater, quod episcopus ecclesiae Sancti Andreae Apostoli, dominus videlicet Turgodus, II. Kal. Septembris migravit a saeculo. Unde valde contristamur tanto solatio destituti. Requirimus ergo vestrae [paternitatis] consilium et auxilium, sicut confidimus in vobis, ut secundum Deum talem substituere valeamus, qui nos et gentem nostram per Deo placitam conversationem regere et docere utiliter sciat. Petimus etiam, ut recordari dignemini, quid vobis jam quadam vice suggessimus de episcopis ecclesiae Sancti Andreae; quod in antiquis temporibus non solebant consecrari nisi ab ipso Romano Pontifice, vel ab Archiepiscopo Cantuariensi:

hocque tenuimus et per successiones temporum ex auctoritate ratum habuimus, quousque Dominus Lanfrancus Archiepiscopus, nescimus quo pacto, absentibus nobis et nostris, Thomae Eboraci Archiepiscopo illud ad tempus relaxaverat. Quod omnino, vestra, si placet, auctoritate suffulti, ut amplius sic remaneat, non concedimus. Nunc igitur, si ad id nobis nostraeque ecclesiae reparandum vestrum adjutorium sperare debemus, quod humillimis votis desideramus et petimus, secreto nobis certitudinem dignis vestris apicibus remandare curate. Valete.

XXIX.

Confirmation by Earl David to the Prior and Monks of Durham, circa A.D. 1117.

The original is in the Treasury at Durham.

DAVID comes, Algaro priori et ceteris fratribus suis de Dunelmo, salutem.

Sciatis quod ego ex mea parte dono vobis et concedo Swintonam ita liberam et quietam et voluntatem vestram inde faciendam sicut frater meus Eadgarus rex vobis eam dedit et super altare obtulit et sicut suum breve eam ad vestrum opus testatur. Et nolo amodo pati ut aliquis vobis aliquam injuriam vel molestiam inde faciat pro certo sciatis.

Testimonio Mathildis Reginae et Willelmi filii sui.

XXX.

Confirmation by Earl David to the Monks of St. Cuthbert, circa A.D. 1117.

The original is in the Treasury at Durham.

DAVID comes, Johanni Episcopo et Cospatrico et Colbano et Rodberto fratribus et omnibus suis fidelibus Tegnis et Drengis de Lodeneio et de Teuegetedale, salutem.

Sciatis quod ego concedo monachis Sancti Cuthberti cum omnibus consuetudinibus omnia quae habebant tam in terris quam in aquis die qua frater meus Eadgarus vivus et mortuus fuit et sicut ego ipse domino meo Sancto Cuthberto post mortem illius fratris mei eisdem monachis concessi et sicut frater meus Eadgarus Sancto Cuthberto et monachis suis dedit Swintunam et super altare in Coldingeham obtulit; ita eandem omnino totam ex mea parte dono et concedo Sancto praedicto et monachis eius, liberam et quietam tenendam et amodo habendam sicut breve fratris mei praedicti eis testatur. Et praecipio omnibus meis hominibus ut nullus eis amodo aliquam inde faciat molestiam vel injuriam. Quia volo ut hanc meam donationem in pace et honorifice habeant et teneant et in perpetuum possideant.

Testimonio Mathildis reginae et Willelmi filii sui et Johannis episcopi.

XXXI.

Confirmation by King Alexander I. to the Monks of St. Cuthbert, circa A.D. 1118.

The original is in the Treasury at Durham.

ALEXANDER Dei gratia Rex Scottorum, omnibus per regnum suum Scottis et Anglis, salutem.

Sciatis quod ego dono Deo et Sancto Cuthberto domino meo et monachis ejus, omnia quae habebant tam in terris quam in aquis die qua frater meus Rex Eadgarus vivus et mortuus fuit, ita libera et quieta cum omnibus consuetudinibus sicut monachi praedicti illo eodem die melius et quietius habuerunt illam eandem terram et nominatim illam terram que jacet inter Horeuoredane et Cnapedane sicut breve fratris mei Eadgari eis testatur.

XXXII.

Writ by Earl David regarding the rights of the Monks of St. Cuthbert to Horeworedene, circa A.D. 1118.

The original is in the Treasury at Durham.

DAVID comes, Johanni Episcopo et Colbano et Cospatrico et omnibus suis fidelibus, salutem.

Vos ipsi sciatis quod judicatum fuit ante me inter monachos Sancti Cuthberti et drengos meos de terra de Horeuoredane, scilicet quod si ipsi monachi haberent legales testes vel breve fratris mei, quieta eis illa praedicta terra remaneret et ideo volo sciatis quod ego ipse vidi breve et donum fratris mei Eadgari Regis quod ad vos etiam misi, et quicquid illud breve eis testatur, volo et concedo ut libere et quiete habeant.

Testibus Willelmi nepotis mei et Osberni capellani et Hugonis de Moreuilla.

XXXIII.

Thor to Earl David regarding Ednam, A.D. 1107-1117.

The original is in the Treasury at Durham.

DOMINO suo carissimo Davidi Comiti, Thor omnino suus, salutem.

Sciatis, domine mi, quod Eadgarus rex frater vester dedit mihi Ednaham desertam quam ego suo auxilio et mea pecunia inhabitavi et ecclesiam a fundamentis fabricavi quam frater vester rex in honorem Sancti Cuthberti fecit dedicari et una carrucata terrae eam dotavit. Hanc eandem ecclesiam pro anima ejusdem domini mei regis Eadgari et patris et matris vestri et pro salute vestra et regis Alexandri et Mathildis reginae,

Sancto praedicto et monachis eius dedi. Unde vos precor sicut dominum meum carissimum ut pro animabus parentum vestrorum et pro salute vivorum hanc donationem Sancto Cuthberto et monachis sibi in perpetuum servituris concedatis.

XXXIV.

Confirmation by Earl David of Thor's grant of Ednam, A.D. 1117-1124.

Smaller Chartulary, Durham.

DAVID comes, Johanni Episcopo et omnibus suis fidelibus de Lodoneo, salutem.

Sciatis quod ego do et concedo Deo et Sancto Cuthberto et monachis ejus ecclesiam de Edenham et unam carrucatam terrae, sicut Thor longus dedit liberam et quietam pro anima patris mei et pro . . . . animae meae et conjugis meae et fratrum meorum et sororum.

XXXV.

Charter by Earl David founding the Abbey of Selkirk, circa A.D. 1120.

Liber S. Marie de Calchou.

DAVID Comes, filius Malcolmi Regis Scottorum, Omnibus amicis suis Francis et Anglis et Scottis cunctisque sanctae Dei ecclesiae filiis, salutem continuam.

Notum sit omnibus praesentibus atque futuris me fundasse quoddam monasterium in Selechyrca, scilicet ad abbatiam in honorem Sanctae Mariae et Sancti Johannis Evangelistae pro salute animae meae et patris et matris meae, fratrum et sororum mearum omniumque antecessorum.

Hujus vero ecclesiae monachis in elemosinam perpetue donavi terram de Selechirche, sicut rivulus descendens a

montibus currit in Gieruam usque ad rivulum illum qui descendens de Crossinemara currit in Twodam et ultra eundem rivulum qui cadit in Gieruam, quandam particulam terrae inter viam quae vadit de castello ad abbatiam, et Gieruam videlicet versus veterem villam . Et haec omnia ita donavi sicut melius habui in bosco et in plano et in aquis . Et villam de Middelham et Bothendenam et Aeldonam, sicut melius habui in terris et in aquis et in bosco et in plano . Et totum dominium meum de Malros per medium vicum et per medium fontem usque ad fossam et sicut fossa dividit cadens in Twodam ; similiter in terris et in aquis et in bosco et in plano . Et in Sprostona unam carrucatam terrae et decem acras et unam maisuram carrucatae pertinentem . Et in Berewyce unam carrucatam et unam maisuram sub ecclesia usque in Twodam et dimidium unius piscaturae et septimam partem molendini et quadraginta solidos de censu de burgo per unumquemque annum . Et in burgo de Rokesburge unam maisuram et septimam molendini et quadraginta solidos de censu et septimam partem piscaturae . Et decimam caseorum de can scilicet de Galweia et dimidietatem coriorum coquinae meae . Et de omnibus occisionibus de quibus alteram partem habeo et similiter de unctis et de sepis sicut de coriis, et omnes pelles multorum et agnorum et decimam coriorum cervorum et cervarum quos veltrarii mei capient . Et aquas meas circa Selechirche communes ad piscandum suis propriis piscatoribus ut meis ; et pasturas meas communes hominibus suis ut meis ; et boscos meos domibus suis faciendis et ad ardendum ut mihi . Et in Anglia in Hardingestrop quatuor viginti acras de terra in dominio, scilicet cum pratis ad illud dominium pertinentibus, et unam maisuram dominio pertinentem et duos bovarios, scilicet quisque habet decem acras, et in ultro sex virgatas et dimidiam de terra et sex maisuras versus pontem de Norhamtune et quandam insulam prati juxta

pontem et molendinum ejusdem villae . Et haec omnia supradicti monasterii monachis ita libere et pacifice jure perpetuo possidenda confirmavi, ut mihi succedentium nullus nihil omnino nisi solas orationes ad animae salutem exigere praesumat.

Hoc factum est Henrico Rege regnante in Anglia et Alexandro Rege in Scotia et Johanne Episcopo in Glasguensi ecclesia et Herberto Abbate in eadem abbatia.

His testibus, supradicto Johanne Episcopo, Matilde comitissa, Henrico filio comitis, Gvalthelino capellano, Osberto capellano, Alwyno capellano, Willelmo nepote comitis, Roberto de Bruis, Roberto de Umframvilla, Gualterio in Bolebec, Roberto de paintona, Cospatrico fratre Dalfini, Hugone de Moruilla, Pagano de Braiosa, Roberto Corbet, Reginaldo de Muscampf, Galterio de Lyndeseia, Roberto de Burnetuilla, Cospatrico vicecomite, Cospatrico filio Aldeue, Uchtredo filio Scot, Macchus, Colbanus, Gillemichel, Odardo vicecomite de Babenburch, Lyulf filio Uchtredi, Radulfo Anglico, Aimaro Galleio, Rogerio de Lerecestria, Adam camerario.

XXXVI.

King Alexander I., Charter to Scone Priory, circa A.D. 1120.

(? Spurious.) Liber Eccl. S. Trin. de Scon.

In nomine Sanctae et Individuae Trinitatis qua unus Deus adoratur et colitur et creditur. Quia sicut rex et propheta David testatur domum Dei semper decet sanctitudo, ego, Alexander Dei gratia Rex Scottorum, filius Regis Malcolmi, et Reginae Margaretae, et ego, Sibilla Regina Scottorum, filia Henrici Regis Angliae, volentes domum Domini decorare et habitationem ejus exaltare

ecclesiam in honorem Sanctae Trinitatis dedicatam quae est in Scona concedimus et tradimus ipsi Deo et Sanctae Mariae et Sancto Michaeli et Sancto Johanni et Sancto Laurencio et Sancto Augustino, liberam et solutam et quietam ab omni exactione et inquietudine a quibus regia dignitas et potestas potest eam liberare, patrocinare et defendere.

Ad Dei igitur cultum et honorem dilatandum et exaltandum placuit nobis clericos canonicorum professione Deo famulantes de ecclesia Sancti Osualdi de qua fama religionis nobis innotuit honesto proborum virorum consilio a domino Adelualdo priore requirere.

Quibus ab ipso priore nobis concessis omni professione et subjectione liberis et solutis curam et custodiam praefatae ecclesiae sic commisimus ut ordinem ibi constituant ad serviendum Deo canonice secundum regulam Sancti Augustini. Terras etiam et possessiones et consuetudines subscriptas eidem ecclesiae pro nobismetipsis et pro animabus patrum et matrum et fratrum et sororum et antecessorum et successorum nostrorum fidelium jure perpetuo possidendas concedimus. Et nequis sacrilegio ausu haec violare praesumat regia auctoritate hujus cartae testimonio confirmamus.

Terrae autem et possessiones haec sunt. Infervus cum quinque carrucatis terrae, Benchorin cum tribus carrucatis terrae, Fotheros cum una carrucata, Kynochtred cum una carrucata, Fingask cum una carrucata, Dufrothni cum tribus carrucatis, Cleon cum tribus carrucatis, Liff cum sex carrucatis, Grudin cum decem carrucatis, Inuergourin cum tribus carrucatis et quinque mansiones domuum, unam apud Eduenesburg et unam apud Striuelin, et unam apud Inuerkethyin, et unam apud Perth, et unam apud Aberdon, et communionem aquae de Thei ut in ea possint piscari sicut ad opus regis et can unius navis sive propriae navis fratrum sive illius quem proloquentur, et medietatem coriorum ad coquinam regis pertinentium,

et omnes pelles arietinas et agninas et medietatem uncti et sagiminis et decimam panum regis ubicunque fuerit a northo de Lambremor.

Ego Alexander, Dei gratia Rex Scottorum, propria manu mea haec confirmo et sigillo meae ymaginis haec consigno.

Ego Sibilla, Dei gratia Regina Scottorum, propria manu mea haec confirmo.

Ego Gregorius, Episcopus auctoritate Dei et Sanctorum Apostolorum Petri et Pauli et Sancti Andreae Apostoli, ne quis haec violare presumat sub anathemate confirmo.

Ego Cormacus, Episcopus auctoritate Dei et Sanctorum Apostolorum Petri et Pauli et Sancti Andreae Apostoli, ne quis haec violare presumat sub anathemate confirmo.

Ego Alexander, nepos regis Alexandri, de his testimonium perhibeo.

Ego Beth comes, similiter.

Ego Gospatricius [frater] Dolfini, assensum praebeo.

Ego Mallus comes, assensum praebeo.

Ego Madach comes, assensum praebeo.

Ego Rothri comes, assensum praebeo.

Ego Gartnach comes, assensum praebeo.

Ego Dufagan comes, assensum praebeo.

Hujus etiam rei sunt isti alii testes, Willelmus frater reginae, Edwardus Constabularius, Gospatricius filius Walthef, Usieth, Alfricus pincerna, Ego Forn assensum praebeo.

XXXVII.

Alexander I., King of Scots, to Ralph, Archbishop of Canterbury, A.D. 1120.

Eadmer, Hist. Nov., Lib. v. (Selden's edn., p. 130).

ALEXANDER Dei gratia Rex Scottorum, Radulfo reverendo Cantuariensi Archiepiscopo et cum reverentia diligendo, salutem.

Audita prosperi adventus vestri in Angliam jamdiu a me desiderati manifesta relatione, de incolumitate ac

prosperitate vestra congaudens, summoque protectori gratias inde referens, cum temporalium undique occupatio curarum iter meum, ut vestra ad praesens valeam frui praesentia, impediat, tam litterarum designatione quam legatorum relatione animi mei affectum vestrae bonitati cupio manifestare. Tantae etenim discretionis personae fretus consilio, bonum propositum peroptime ad boni operis effectum (Deo annuente) non dubito me posse perducere.

Vestram igitur latere nolo excellentiam, ecclesiam Sancti Andreae in regno meo existentem jamdiu pastorali cura destitutam, Dei et vestrae benignitatis providentia pastore idoneo desiderantem me velle consolari. Quo circa vestrae pietatis deposco clementiam, ut quandam personam a plerisque mihi laudatam, Eadmerum, scilicet monachum, si vobis idonea visa fuerit ut pontificali inthronizetur dignitate, mihi liberam concedatis. Verens enim summum pastorem, me graviter offendisse, cum gregem suum negligentia mea aliisque forsan criminibus impedientibus pastoris penuria desolatum et a tramite veritatis in pluribus exorbitatum diu permiserim, filiali etiam timore timens in hac re, eum amodo offendere, ad vestrae fontem discretionis recurro, ut pristinae memor existens dilectionis, inter nos habitae, me filium vestrum paterno affectu spiritualiter jamdiu a vobis adoptatum vestri munimine consilii in hac re tueamini. Vale.

XXXVIII.

Ralph, Archbishop of Canterbury, to Alexander I., King of Scots, A.D. 1120.

Eadm., Hist. Nov., Lib. v. (edn. Selden, p. 131).

CARO Domino et amico intimo Alexandro, Dei gratia Regi Scottorum, Radulfus Archiepiscopus salutem et orationes.

Gratias Deo innumerabiles referimus, qui ad cognoscendum atque petendum quae debebatis, remotis nebulis, mentis vestrae oculos aperuit.

Gratias nihilominus generalitati vestrae, qui petitionibus vestris legitimis nos vobis ex amicis amicissimos ex familiaribus familiarissimos et junctissimos, reddidistis.

Licet enim ipsis petitionibus, quasi oculum aut dexteram a corpore nostro avellere quaeratis, laudare tamen habeo justum desiderium vestrum et in quantum potero, secundum Deum illi obtemperare.

Volens quidem, et si pace Dei et vestra potest dici, invitus assentior bonae vestrae voluntati; volens vero, quia Dei voluntati, quem in hoc facto praesentem atque propitium conspicio, resistere non audeo, nec cor vestrum in nos amaricare; invitus autem quod (quasi solus) et patris consolatione, ac relevatione assidua et filii sapientis consilio et auxilio in infirmitate nostra ac aetate destituor.

O sapientis viri consilium (si nos eo non spoliaretis et cum spolietis) qui tantum virum, tam famosum, tam ecclesiae Dei utilem, vita et moribus et litteris divinis et si opus fuerit, saecularibus, a pueritia instructum, terrae vestrae consilio praeesse in his, quae ad Deum pertinent, satagatis. Si alius ex partibus longinquis quod petitis peteret, pro certo sciatis, non paterer elongari a nobis cordis nostri arcanum; sed vobis nihil est secundum Deum, quod abnuere velimus.

Mittimus ergo ad vos personam quam petitis et omnino liberam, ut a vobis certius discat, si ad honorem Dei et sanctae matris Cantuariensis videlicet ecclesiae spectet petitio vestra.

Caute igitur et cum consilio tractate quod agitis, quia sunt multi qui libenter sacrationem istius disturbarent, et si valerent disturbando cassarent. Proinde nostrum esset consilium ut quam citius ad nos remitteretur sacrandus, ne dilatione quod timemus interveniat vel quod nollemus.

Salutat vos conventus fratrum ecclesiae nostrae vere fideles vestri et omnino ad servitium vestrum parati.

In commune autem rogamus ut ita vos habeatis erga fratres nostros qui in regno vestro sunt, ut Deus vobis inde gratias habeat et nos. Valete.

XXXIX.

Alexander I., King of Scots, to Ralph, Archbishop of Canterbury, A.D. 1120.

Eadmer, Hist. Nov., v. (ed. Selden, p. 134).

ALEXANDER Dei gratia Rex Scottorum, Radulfo, Archiepiscopo Cantuariensi, in ipso qui vita est, semper vivere.

Immensae bonitati vestrae petitioni meae condescendenti, personam in praesulatu Sancti Andreae sublimandam mihi mittendo, animi mei affectus benevolens et ut justum est, obnoxius, innumerabiles gratias reddit. Sed persona in episcopatu posita, consuetudinibus terrae moribusque hominum, ut res et tempus exigebat et ut justum et necessarium esset condescendere noluit. Ipsa vero tandem persona, in praesentia quorundam episcoporum et comitum proborumque terrae meae virorum, me requisivit ut ei licentiam recedendi et de fidelitate, quam mihi fecerat, libertatem concederem, cum nullo modo remanere vellet, nisi eum in captione detinerem.

Haec audiens, ei his verbis respondi; quod si aliquas, dictis vel factis, injurias, ei a me illatas et quod in aliquibus quae ei facerem debuissem, me defecisse demonstraret, pro Dei amore et meo honore libentissime praesto essem emendare.

Ad haec, in praesentia omnium adstantium, dixit quod nullas dictis aut factis ei injurias injeceram, nec unquam in aliqua re quam ei facere debuissem defeceram.

Praeterea egomet et episcopi et consules, aliique terrae meae probi homines, ibi adstantes reverentiae obedientiam

in quibuscunque justum esset, magna animi benignitate obtulimus et pro penuria honestae exhibitionis reverentiae non esse necesse ei praesulatum relinquere, cum magna admonitione retulimus; ut etiam remaneret, donec Regi Angliae et vobis nuntiassem, ut amborum consilio frui possem, obnixe rogavimus.

His auditis, mihi respondit, quod nullo modo remaneret, nisi eum in captione detinerem; se enim nec utilem, nec idoneum in praesulatus regimine sciebat et si remaneret, detrimentum animae suae et aliorum imminere videbat.

Communi tandem consilio nolui eum vi retinere, petitioni suae quamvis invitus adquievi; et episcopatum reddidit et foedus amicitiae inter me et ipsum osculo confirmavit. Et haec est rei veritas quam litteris vobis declarare volui, ne si aliud ad aures vestras perveniret credere tis.

Sciat denique bonitas vestra quod vobis penitus ut amicus fidelis, obnoxius esse cupio, et consilio vestro, vestrae etiam dilectioni subdi desidero.

Ut Domino Eadmero honorem exhibeas obnixe postulo. Vale.

XL.

Ralph, Archbishop of Canterbury, to Alexander I., King of Scots, A.D. 1120.

Eadmer, Hist. Nov., Lib. v. (Selden's edit., p. 134).

ALEXANDRO illustri Regi Scottorum, Frater Radulfus Cantuariensis Ecclesiae Minister, sic regnare in regno terreno, ut cum Christo regnare possit in caelo. Gratias, quas possumus (Venerabilis Domine) sublimitati vestrae, referimus pro dilectionis et honoris munere, quod erga parvitatem nostram nuntiis et litteris referentibus vos habere dignoscimus. In quo nos, proculdubio, nos pro posse semper devotos habebitis et si quid in vita nostra (Domino largiente) fructuosum inveniatur, vestrum esse

secure, sciatis. Gratias etiam, ex bona voluntate vobis persolvimus pro susceptione carissimi filii nostri Eadmeri videlicet electi episcopi vestri, quem secundum petitionem vestram vobis transmissum honorifice tractastis. Quem nos etiam ad partes nostras redeuntem, prout decuit tantam personam officiose suscipientes, in adventu ipsius, non mediocriter laetati sumus.

Cumque secretius, postea, inter nos sermo versaretur, audivimus eum aliqua a sensu litterarum vestrarum, quas prius audieramus diversa sentire, nec omnibus antea auditis, ex toto assensum praebere. Nunc itaque quoniam in scriptis vestris aliud legimus et aliud ab ipso fratre percepimus, consilio nobis est, ut eundem filium nostrum apud nos retineamus, quousque, Domino ducente, in Angliam veniatis; nisi forte aliquid aliud, quod nobis faciendum sit, antea mandaveritis. Cum autem (Deo donante) vobis praesentialiter loqui et rerum causas hinc inde audire poterimus, si vita et doctrina hujus amici nostri vobis et patriae vestrae utilis esse videtur injuncta sibi obedientia ad electionis suae locum, si eum suscipere vultis, redire poterit.

Si vero in conspectu vestro aliud placitum fuerit, nos eum, ut virum in lege Domini multipliciter instructum et omni bono operi aptum, cum magno gaudio retinebimus: et sic spem bonam in misericordia Dei habentes, ejus reditum fructuosum habebimus. Vale.

XLI.

Eadmer to Alexander I., King of Scots,

A.D. 1122.

Ead., Hist. Nov., VI. (Selden's edn., p. 139).

ALEXANDRO illustri Regi Scottorum, Eadmerus quondam electus Episcopus Scotiae, salutem et servitium.

Pro benigna voluntate, quam se erga me vestra excellentia olim habuisse monstrare dignata est, gratias, quas possum, vobis exsolvo.

Et quidem benignitatis vestrae non meritorum meorum fuisse non nescio, quod praetermissis innumeris, quos et vitae probitas et sapientiae atque prudentiae illustrabat auctoritas, me in episcopatum elegistis, et regno vestro in eis, quae Dei sunt, praeesse voluistis.

Reddat vobis omnipotens Deus pro tam bona voluntate illud praemium, quod bona voluntas meretur apud Eum. Et hoc utique orat quotidie et desiderat anima mea. Quod autem res alium, quam propositi communis tenor extiterit, eventum sortita est, Dei dispositioni, quam penetrare vel subterfugere nemo potest, ascribendum fore non dubito. Quid tamen ex discessu meo a pontificatu didicerim, si facultas mihi daretur secretius vobis loquendi sanctae fidei vestrae notificarem. Licet enim corpore a vobis discesserim, noveritis tamen pro certo, quod fidem, quam vobis debeo, Deo juvante, non violabo. Unde vestrum et regni honorem, in quibuscumque potero, si non spreveritis, fideliter quaeram, Ipso teste, qui conscientiae meae solus et verus inspector est.

Nec haec dico, quod multum desiderem in regno vestro episcopari; sed tamen mallem dignitatem terrae vestrae augeri quam minorari.

Praeterea noverit beatitudo vestra, quod omnes, qui audiunt, qualiter electus, susceptus et pontificatu saisitus, et loco pontificis substitutus fui, una sententia asserunt nec me juste potuisse episcopatum dimittere nec alium me vivente juxta legem Domini substitui posse. Nec enim vir uxorem suam, aut uxor virum, ut alii nubat, dimittere legaliter potest.

Sed fortasse dicitis, Tu dimisisti. Dimisi quidem, sed (quod cum pace vestra dicatur) illata vi, cui contraire nequivi. Cum enim perpes discordia et interminabiles inimicitiae mihi ex vestra parte per eos, quos vobis

familiares esse sciebam, intenderentur, nisi episcopatui funditus cederem; et his vester habitus circa me, et dissaisitio, qua me bis rebus ad pontificatum pertinentibus sine lege et judicio spoliastis, attestarentur; necessario dimisi quod ablatum retinere non potui. Sed de istis epistolari brevitate disquiri commode non valet.

Quamobrem, omissis istis, breviter suggero, quia, si in pace vestra permittitis, et opem (ut vestram regalem sublimitatem decet) ferre volueritis, ut ad vos honorifice redeam ad explendum apud vos servitium Dei et vestrum secundum voluntatem Dei conabor iter aggredi, et in omnibus voluntati vestrae parere; nisi (quod absit) videatur voluntati Dei resistere. Quodsi amplecti minime vultis, ultra non possum.

Deo causam ecclesiae suae committo. Ipse videat, Ipse dispenset, Ipse quod quisque meretur in hoc suo negotio cuique reddat. Ego liberavi, ut aestimo, animam meam.

Ego, uti debui, coram eo exposui causam meam, paratus in omnibus sequi voluntatem suam. Ne tamen putetis me in aliquo velle quidquam derogare libertati vel dignitati regni Scottorum, securum vos esse volo, quia quod a me petiistis, et ego tunc quidem acquiescere nolui, aestimans aliud quam secundum quod postmodum didici aestimare debebam, de Rege scilicet Anglorum, de Pontifice Cantuariorum, et de benedictione sacerdotali, si hucusque persistitis in sententia vestra me amplius contradictorem non habetis; nec illa me a servitio Dei et amore vestro, quin quod volueritis faciam, ullo modo divellent: tantummodo alia, quae pontificis Sancti Andreae juri competunt, mihi liceat cum vestra bona voluntate administrare. Haec olim vobis insinuassem; sed, quia rumor quaque discurrebat vos in Angliam, postposita omni ambiguitate, tunc vel tunc aut certe tunc venturum, scribere distuli, quod magis optabam secreto vobis adfatu declarare.

Sive igitur ista suscipiatis sive altiori consilio postponatis, ego quod mea refert pura et simplici conscientia feci, Ipso cuncta inspiciente et examinante qui novit quid cuique redditurus aequo moderamine sit.

Quoniam ergo in manu ejus sunt etiam corda omnium regum intimo corde rogo ut Ipse cor vestrum et actus vestros ad se sua gratia dirigat; quatenus et ecclesia sua, quae in regno vestro peregrinatur, vestra ope in sancta conversatione de die in diem proficiat, et animae vestrae post hanc vitam beatitudinis aeternae merces exinde proveniat.

Amen. Quid de istis excellentiae vestrae placeat, benigne quaeso mihi fideli vestro litteris suis notificare dignetur. Vale.

XLII.

Ralph, Archbishop of Canterbury, to Alexander I., King of Scots, A.D. 1122.

Eadmer, Hist. Nov., VI. (Selden's edn., p. 140).

ALEXANDRO illustri Regi Scottorum Radulfus Cantuariensis Ecclesiae Minister, et fratrum conventus Domino Christo in ea deserviens, per illum in terra regnare cui famulatur omnis militia coelestis.

Novit prudentia vestra, carissime Domine, quanto tempore sedes episcopalis, quae in patria vestra, praecipua habetur, suo caruerit pastore; quae procul dubio, quanto fuerit suo destituta vigore, tanto deterius subditorum ruina inde proveniet.

Unde hortamur serenitatem vestram, quam divina propitiatio inter alios reges ita absque notabili reprehensione hujusque honoravit ut ab omnibus laudabilis habeatur, quatenus tanto religionis detrimento finem

dantes, pastorem quem vos canonice elegistis, et nos legaliter ad vos misimus, ad sedem suam ex bona voluntate vestra revocetis. Et cum nec in vobis nec in ipso culpa pateat, quare hoc digne fieri non debeat ex patrum auctoritate non intelligimus qualiter, isto vivente, alium memorata ecclesia vestra possit sortiri episcopum; quia sponsa Dei, suo superstite, ne fiat adultera, nisi legalem omnem contemnit maritum. Quapropter, quomodocunque hactenus hoc dilatum fuerit, virum, sicut speramus, vobis utilem et in lege Dei a pueritia nobiliter instructum, in primum dilectionis vestrae gradum et in officium sibi injunctum pro vestra gloria revocate. Deus pacis et dilectionis, a quo omne bonum consilium procedit, sit semper vobiscum.

Quid vobis videatur de iis quae vobis mandamus, nobis precamur rescribi facite.

Valeat dilectio vestra, cum domina Regina uxore vestra, et cum omnibus qui ea quae justa sunt volunt, et vos diligunt, gloriose domine et honorandae Sanctae Matris Ecclesiae fili. Amen.

XLIII.

Pope Calixtus II. to Alexander I., King of Scots, A.D. 1122.

Reg. Alb. Ebor., p. I. fol. 51, and III. fol. 57.

CALIXTUS Episcopus servus servorum Dei illustri et glorioso Scottorum Regi Alexandro salutem et apostolicam benedictionem.

Pro episcoporum, qui in tuo sunt regno, praesumptione, atque pro venerabilis fratris T[urstini] Eboracensis Archiepiscopi negotio, alias ad te jam litteras misimus: sed in nullo apud te usque adhuc, uti comperimus, exauditi sumus. Quamobrem, nobilitatem tuam litterarum

praesentium visitatione in Domino commonentes, praecipimus ut regni tui episcopos sese invicem consecrare absque metropolitani licentia nullatenus non permittas.

Cum autem ecclesiarum opportunitas exegerit ad metropolitanum tuum Eboracensem videlicet Archiepiscopum electi reverenter accedant; et aut per ejus manum, aut si necessitas ingruerit per ejusdam licentiam, consecrationem accipiant.

Cui nimirum Archiepiscopo et illos et teipsum, tanquam patri et magistro, humiliter obedire apostolica auctoritate praecipimus.

Datum Tarenti decimo octavo Kal. Februarii.

XLIV.

Pope Calixtus II. to John, Bishop of Glasgow, A.D. 1122.

Reg. Alb. Ebor., p. 1. fol. 51; 2 Concil. p. 20.

CALIXTUS Episcopus servus servorum Dei venerabili fratri Johanni Glasguensi Episcopo salutem et apostolicam benedictionem.

Eboracencis ecclesiae postulatione a domino praedecessore nostro sanctae memoriae Paschale Papa in Episcopum consecratus es: quam profecto benignitatem cum humiliter recognovisse debueris, in tantam (uti accipimus) superbiam elevatus es, ut metropolitano tuo Eboracensi Archiepiscopo, nec pro nostro etiam praecepto, professionem volueris exhibere.

Contemptus hujus pertinaciam nos diutius pati non posse pro certo cognoveris.

Propter quod repetita tibi praeceptione praecipimus, ut Eboracensem ecclesiam, in cuius capitulo tanquam eius suffraganeus electus es, non ut ingratus filius, recognoscas matrem tuam; et venerabili fratri nostro Thurstino metropolitano tuo professionem exhibeas.

Alioquin sententiam quam ipse in te canonica aequitate protulerit, nos, auctore Deo, ratam habemus.

Data Tarenti XVIII. Kalend. Februarii.

XLV.

Pope Calixtus II. to John, Bishop of Glasgow, A.D. 1122.

Reg. Alb. Ebor., p. I. fol. 51, and III. fol. 57 ; 2 Concil. p. 22.

CALIXTUS Episcopus servus servorum Dei Johanni Glasguensi Episcopo salutem et apostolicam benedictionem. Multis dilecti filii nostri Alexandri regis Scottorum precibus inclinati, tibi aliquanti temporis indutias dedimus, quatenus infra prefixi diei terminum ad obedientiam venerabilis fratris nostri Thurstini Eboracencis Archiepiscopi debita humilitate redires.

Sicut autem directa litterarum suarum notatione percepimus, te ab ejus obedientia et subjectione subtrahere praesumpsisti.

Unde tibi mandamus, quatenus infra triginta dies post harum acceptionem litterarum ad praefati Archiepiscopi subjectionem et obedientiam redeas.

Alioquin sententiam quae ab eo in te promulgata est, confirmamus.

Data Laterani VII. Kalend. Septembris.

XLVI.

Grant by Earl David of a hundred shillings from Hardingestrorna for the use of the Church of Glasgow, circa A.D. 1123.

Regist. Epis. Glasguensis, No. 2.

DAVID Comes omnibus ecclesiae fidelibus salutem.

Notum sit omnibus vobis me in perpetuo praebuisse redditionem centum solidorum in Hardingestrorna, Glasguensi ecclesiae in elemosinam ad aedificationem et restaurationem ejusdem ecclesiae, et hoc deliberatione et concessione Matildis uxoris meae. Testimonio ipsius Matildis et procerum et militum meorum, Roberti de Brus et Roberti filii Nigelli, Hugonis de Morvilla. Hugonis bret et Roberti Corbet, Walteri de lindeseia et Walteri filii Winemerj. Valete.

XLVII.

Grant by King Alexander I. of the island of Loch Tay to the Canons of Scon, circa A.D. 1123.

Liber Eccl. S. Trin. de Scon, No. 2.

ALEXANDER Dei gratia Rex Scottorum, episcopis et comitibus necnon omnibus fidelibus suis totius Scotiae, salutem.

Notum vobis facio me ad honorem Dei et Sanctae Mariae [et] omnium Sanctorum pro me et pro anima reginae Sibillae, insulam de Lochtei perpetuo jure possidendam cum omni dominio ad eandem insulam pertinenti, Sanctae Trinitati de Scon canonice Deo ibi fratribus famulantibus dedisse ut ecclesia Dei ibi pro me et pro anima reginae ibi defunctae fabricetur et in habitu religionis Deo ibi serviant et hoc do eis interim quousque dedero eis aliud augmentum unde locus in Dei obsequium exaltetur. Teste Herberto cancellario. Apud Striuelin.

XLVIII.

Grant by King Alexander I. to the Church of Scon of the can and custom of a ship and of protection to the merchants bringing goods in the ship, A.D. 1124.

Liber Eccl. S. Trin. de Scon, No. 3.

ALEXANDER Dei gratia Rex Scottorum omnibus mercatoribus Angliae, salutem.

Sciatis me dedisse et concessisse in elemosinam ecclesiae Sanctae Trinitatis de Scon et priori fratribusque ibi servientibus can et consuetudines unius navis et ideo volo et firmiter praecipio ut omnes mercatores extra regionem Scotiae manentes qui navem illam cum mercibus suis ascendere atque in Sconam venire voluerint pacem meam et Dei eundo et redeundo pacemque tenendo habeant et nulli nisi priori et fratribus dictae ecclesiae de consuetudinibus illius navis respondeant. Teste Roberto episcopo electo Sancti Andreae et Herberto cancellario. Apud Perth.

XLIX.

Grant of jurisdiction by King Alexander I. to the Prior and Brethren of Scon, A.D. 1124.

Liber Eccl. S. Trin. de Scon, No. 4.

ALEXANDER Dei gratia Rex Scottorum episcopis et comitibus necnon et omnibus fidelibus totius terrae suae, salutem.

Sciatis me dedisse ecclesiae Sanctae Trinitatis de Scon et priori fratribusque ibidem Deo servientibus suam propriam curiam, scilicet in duello in ferro in fossa et in

omnibus aliis libertatibus ad curiam pertinentibus nec ulli respondeant nisi in sua curia propria. Testibus Roberto episcopo electo Sancti Andreae, Cormaco episcopo, Gregorio episcopo de Morauia, Herberto cancellario, Beth comite, Malis comite, Eduardo constabulario, Willelmo fratre reginae, Gospatricio filio Waltheui. Apud Scon.

L.

Notitia of the history of the see of Glasgow and of the Inquisitio by Earl David as to the extent of the lands of the church of Glasgow, circa A.D. 1124.

Regist. Epis. Glasguensis, No. 1.

IGITUR quandoquidem praedecessorum instituta mortalium litterarum ostentatione et scribarum deliberatione ad memoriam revocantur: Nos Cumbrensium quaedam gesta nobilium praesentibus apicibus memoriae commendavimus.

In Cumbria itaque, regione quadam inter Angliam et Scotiam sita, fide catholica in illis climatibus prius exuberante ac propagante: domestici fidei ac proceres regni cum rege provinciae co-operante in honorem Dei et Sanctae Mariae piae genetricis ecclesiam Glasguensem sedem, scilicet pontificalem Cumbrensis regionis fundaverunt et dignis sanctionibus pro pristina sanctorum religione fratrum solidaverunt.

Haec vero pulchris initiatibus et ecclesiasticis institutionibus sanctae quoque fidei rudimentis inolevit et dispositione divina Sanctum Kentegernum in episcopum admisit qui coelestis affluentiam doctrinae sitientibus propinaret et cibum spiritualem ut fidelis dispensator esurientibus ministraret.

Verumenimvero fraudulentus exterminator supra dictam ecclesiam diu inviolabiliter constare ingemiscens, consuetis versutiis suis post multa temporum curricula scandala intolerabilia Cumbrensium ecclesiae machinavit. Dicto namque Kentegerno pluribusque successoribus suis piae religionis perseverantia ad Deum transmigratis: diversae seditiones circumquaque insurgentes non solum ecclesiam et ejus possessiones destruxerunt, verum etiam totam regionem vastantes, ejus habitatores exilio tradiderunt. Sic ergo omnibus bonis exterminatis, magnis temporum intervallo transactis, diverse tribus diversarum nationum ex diversis partibus affluentes, desertam regionem praefatam habitaverunt: sed dispari genere et dissimili lingua et vario more viventes haud facile [inter] sese consentientes gentilitatem potius quam fidei cultum tenuere. Quos infelices damnatae habitationis habitatores more pecudum irrationabiliter degentes, dignatus est Dominus qui neminem vult perire propitiatione sua visitare; tempore enim Henrici regis Angliae, Alexandro Scottorum rege in Scotia regnante, misit eis Deus David praedicti regis Scotiae germanum in principem et ducem, qui eorum impudica et scelerosa contagia corrigeret et animi nobilitate et inflexibili severitate contumeliosam eorum contumaciam refrenaret.

Hic nempe bene vivendi studio fervidus profanae multitudinis miseriae condolens, ut pastorali solicitudine qua diutius caruerant eorum opprobria deleret, divino instigatus hortamine, Johannem quemdam religiosum virum qui eum educaverat vitamque ejus Deo non imbeciliter devotam voverat, . . . consilio clericorumque suorum auxilio in episcopum elegit. Sed cum episcopus cognita infelicis populi feritate et abominabili vitiorum multiplicitate utpote perterritus Jerusalem proficisci disposuisset, ab apostolico Paschali licet invitus consecratus, officium susceptae solicitudinis nullatenus differre voluit, sed cum gaudio sub plebis alacritate a

principe et a proceribus regni receptus, verbum praedicationis Spiritu Sancto largiflue operante per Cumbrensem parochiam diffudit.

Inquisitio per David Principem Cumbrensem de terris Ecclesiae Glasguensi pertinentibus facta.

DAVID vero Cumbrensis regionis princeps, amore praecipue Dei partim quoque [ob] religiosi dilectionem et ammonitionem terras ecclesiae Glasguensi pertinentes singulis Cumbriae provinciis quae sub dominio et potestate ejus erant (non vero toti Cumbrensi regioni dominabatur) inquirere fecit ut avidus ipsius ecclesiae restaurationis possessionum earum quas antiquitus tenuerat posteris et sequacibus suis certitudinem relinqueret.

Has vero auxilio et investigatione seniorum hominum et sapientiorum totius Cumbriae pro posse suo investigavit quae inferius subscribuntur.

Carcleuien . Camcar . Camcachecheyn . Lengartheyn . Pathelanerhc . Cunclut . Chefcarnenuat . Carnethyn . Caruil . Quendal . Abercarf . Mecheyn . Planmichel . Stoboc . Penteiacob . Alnecrumba Treueronum . Lillescliva . Asheschyrc . Hodelme . Edyngaheym . Abermelc . Driuesdale . Colehtaun . Trevertrold . Aschebj . Brumescheyd . Treuergylt, in Pobles una carrucata terrae et ecclesia, in Treverquyrd una carrucata et ecclesia, in Mereboda una carrucata et ecclesia.

Has terras juraverunt fore pertinentes ecclesiae Glasgu rogatu et imperio supradicti principis, Uchtred filius Wàldef . Gille filius Boed . Leysing et Oggo Cumbrenses judices . Halden filius Eadulf.

Hujus rei testes sunt ut audientes et videntes, Matildis comitissa, quae ex parte sua concessit, Willelmus nepos ipsius principis, Cospatric frater Dalfin, Waldef frater suus. Cospatric filius Uctred, Cospatric filius Alden, Osolf filius Eadiue, Maccus filius Undweyn, Uhctred filius Scot, Ulchel filius Alstan . Hugo de Morvilla .

Paganus de Brausa. Osbert de Ardena. Gervasius Ridel. Guido de Caynes. Berengarius Engaine. Robertus Corbet. Walterus de Lindeseya. Robertus de Burnevilla. Reinaldus de Muscans. Walterus filius Winemari. Willelmus venator. Alanus de Perci. Walterus de Broy.

LI.

Charter by Earl David granting in elemosinam the lands held under him by the monks of Daventry, A.D. 1114-1124.

Registr. Prior. Daventre.

DAUID Comes omnibus baronibus suis et amicis suis Francis et Anglis salutem. Sciatis me concessisse monachis de Dauentre quicquid tenent de meo feudo in terris et decimis et in aliis rebus, scilicet in elemosina. Testibus H. de Leicestria et H. de Moreuill et Roberto filio Ingell. Apud Jerdelai.

LII.

Confirmation by Earl David of the grant by Robert de Brus of Karkarevil to the Abbey of St. Mary at York, A.D. 1114-1124.

Dugdale's Monasticon, III., p. 583.

OMNIBUS videntibus vel audientibus litteras has David Comes, salutem. Sciatis me concessisse Deo et Sanctae Mariae et Abbatiae Eboracensi in puram elemosinam, villam quae vocatur Karkarevil et ecclesiam ejusdem villae, quam dedit Robertus Brus praedictae abbatiae pro salute mea et uxoris meae et pro salute animarum patris et matris meae et pro animabus omnium fidelium defunctorum. Valete.

LIII.

Charter by Earl David to Roger the Archdeacon of land in Totenham, A.D. 1114-1124.

Original in the Archives of the Duchy of Lancaster.

DAVID Comes, Edwardo praeposito et omnibus successoribus suis et omnibus hominibus suis de terra et soca sua in Londonia et Totenham salutem. Sciatis me concessisse et dedisse Rogero Archidiacono et heredi ejus totam terram quam tenuit Alwinus Kybbel et Ailwardus subsessor ejus libere cum sacha et socha, dando singulis annis III. solidos pro censu et VIII. denarios pro sacha et socha et Agelwardus ibit ad placita comitis manutenenda et ipse Archidiaconus si in Londonia fuerit expeditus et summonitus fuerit manutenebit placita comitis. Et qui sub eo hospitati fuerint absque occasione implacitationis. Nec Agelwardo faciet Archidiaconus incrementum super hoc quod solebat dare sed nec ipsi Archidiacono incrementum fiet, et nullus hospitabitur in domo Archidiaconi nisi Robertus Foliot et armigeri sui nisi per Archidiaconum. Et si comiti Episcopus vel alia persona ecclesiastica venerit, si opus fuerit hospitabitur. Hujus concessionis testes sunt Willelmus Peveraell, Hugo de Morevilla, Fulbertus de Totenham, Alwinus capellanus comitis, Radulfus presbyter de Totenham, Edwardus prepositus comitis. Alfricus presbyter de Sancto Bartholemeo, Edwinus Aldormann, Arnaldus, Radulfus filius Arth.

LIV.

Charter by King David granting Annandale to Robert de Brus, circa A.D. 1124.

Original in the Archives of the Duchy of Lancaster.

DAVID Dei gratia Rex Scottorum, omnibus baronibus suis et hominibus et amicis Francis et Anglis salutem.

Sciatis me dedisse et concessisse Roberto de Brus Estrahanent et totam terram a divisa Dunegal de Stranit usque ad divisam Randulfi Meschin; et volo et concedo ut illam terram et suum castellum bene et honorifice cum omnibus consuetudinibus suis teneat et habeat, videlicet cum omnibus illis consuetudinibus quas Randulfus Meschin unquam habuit in Carduill et in terra sua de Cumberland, illo die in quo unquam meliores et liberiores habuit.

Testibus Eustachio filio Johannis et Hugone de Morvilla et Alano de [Perci] et Willelmo de Sumervilla et Berengario Engaine et Randulfo de Sules et Willelmo de Morvilla et Henrico filio Warini et Edmundo Camerario. Apud Sconam.

LV.

Pope Honorius II. to David, King of Scots, A.D. 13 April, 1125.

2 Concil. p. 211.

HONORIUS Episcopus servus servorum Dei dilecto filio David illustri Scottorum Regi, salutem et apostolicam benedictionem.

Oportet devotos et humiles beati Petri discipulos, quae ad honorem sanctae Romanae Ecclesiae spectare cognoverint, attentius operari.

Unde nobilitate tuae rogando mandamus, ut dilectum filium nostrum Johannem Cardinalem, cui vices nostras in partibus illis commisimus, reverenter suscipias et honores.

Episcopos etiam terrae tuae, cum ab eo vocati fuerint, ad concilium suum facies convenire.

Controversiam quae inter Thurstanum Eboracensem Archiepiscopum et episcopos terrae tuae diu agitata est, eidem legato nostro diligentius indagandam discutiendamque committimus. Finalem vero sententiam apostolicae sedis judicio reservamus.

Data Laterani Idibus Aprilis.

LVI.

Charter by King David granting to the Monks of St. Andrew at Northampton the Church of Polton, A.D. 1124-1130.

Regist. Prior. S. Andreae de Northampton.

DAVID Dei gratia Rex Scottorum Roberto Episcopo Lincolniensi et Hugoni vicecomiti de Leycestria et omnibus ministris et fidelibus suis Francis et Anglis salutem. Sciatis me dedisse et concessisse in perpetuam elemosinam ecclesiam de Poltona cum omnibus appendiciis suis monachis meis ecclesiae Sancti Andreae de Northampton pro salute animae et Matildis Reginae uxoris meae et omnium antecessorum meorum. Quare volo et firmiter praecipio quatenus libere et quiete eam teneant sicut libera elemosina. Testibus Roberto de Rend et Hugone de Moruilla, Roberto Corbet, Edwardo Capellano. Apud Barwykke.

LVII.

Confirmation by King David of the rights of the monks of St. Andrew at Northampton, A.D. 1124-1130.

Regist. Prior. S. Andreae de Northampton.

DAVID Dei gratia Rex Scottorum omnibus suis hominibus fidelibus et amicis totius Angliae salutem. Volo ut bene sciatis me concessisse monachis Sancti Andreae de Northampton Deo et Beatae Mariae servientibus omnia quaecumque teneant sive ex me sive ex meis hominibus eo die quo factus sum Rex Scotiae. Et ut ea omnia honorifice et quiete teneant. Et praecipio omnibus meis hominibus et praecipue dapifero meo non eos iniuste manuteneatis et si

quis de meis tenentibus injuriam eis facere praesumpserit, plenariam rectitudinem eis habere faciatis. Testibus Michaele de Hamesl̃. Roberto de Brus, Hugone de Moreuilla, Rogero filio Nigelli, Roberto filio Vitalis, Willelmo nepote regis, Ilbard de Agenho, Ogero de Hotton.

LVIII.

Confirmation by King David to the Monks of Northampton of a grant of forty shillings from the rents of Bedford, A.D. 1124-1130.

Regist. Prior. S. Andreae de Northampton.

DAUID Dei gratia Rex Scottorum Reginaldo de Bull̃ salutem. Praecipio tibi quatenus intendas priori et monachis de Northampton de XL. solidis de redditionibus de Bedford et fac eis habere XX^ti^ solidos ad Pascha et XX^ti^ solidos ad festum Sancti Michaelis, et nulli nisi ipsi inde respondeas ut quicunque post te minister fuerit simili eis habere faciat ut clamorem inde non audiam. Teste Herberto Cancellario et Hugone de Leycestria, et Grimbaud. Apud Huntyndon.

LIX.

Confirmation by King David to the Church of St. Augustine at Daventry, A.D. 1124-1130.

Regist. Prior. Daventry.

DAUID Dei gratia rex Scottorum omnibus probis hominibus suis et amicis salutem. Sciatis me concessisse Deo et Sanctae Mariae caritatis et ecclesiae sancti Augustini de Dauentre et monachis ibidem Deo servientibus in perpetuum in elemosinam quicquid tenent de feudo meo de quocunque sit. Et Willelmus et Hugo qui canonici sunt eiusdem loci prebendas suas omni vita sua libere et honorifice teneant, nisi habitum suum vel vitam mutaverint.

Testibus A Episcopo Lincolniensi, et Herberto Cancellario et Waltero Archidiacono et Hugone de Moreuill et Roberto de Brus et Widone de Chanin et Willelmo de Hoct. et aliis. Apud ierdelai, die dedicationis ecclesiae Sancti Andreae de Jerdelai.

LX.

Confirmation by King David to the Monks of Northampton of the Church of Brawfeld, with a virgate of land and rights in the wood of Yerdelay, A.D. 1124-1130.

Regist. Prior. S. Andreae de Northampton.

DAUID Dei gratia Rex Scottorum Hugoni Vicecomiti et Grimbald et omnibus ministris suis salutem. Praecipio quod monachi de Northampton teneant ecclesiam de Braufeld cum virgata terrae quae ad eam pertinet liberam et quietam ab omni servitio mihi pertinenti. Concedo etiam eis ut habeant duas carectas in nemore de ierdele ad capiendum mortuum boscum. Teste Herberto Cancellario et Roberto de Brus. Apud Dunferm[line].

LXI.

Mandate by King David regarding the payment of tithe to the Church of Dunfermline, circa A.D. 1125.

Regist. de Dunfermelyn, No. 6.

DAVID Rex Scottorum, Willelmo vicecomiti et prepositis et ministris suis de Struelin, salutem. Sciatis quia volo et firmiter praecipio quod habere faciatis monachis de Dunfermelyn omnes decimas et rectitudines suas ita plenarie sicut eis plenius dedi et in elemosinam concessi, in omnibus rebus quas juste debent habere unde poteritis eis justitiam facere. Et nullus super meum forisfactum eis detineat; Testibus Johanne Episcopo, Randulpho de Sules. Apud Perth.

LXII.

Grant by King David to the Church of Dunfermline of the tithe of the King's lands of Dunfermline and dwellings in four burghs, circa A.D. 1125.

Regist. de Dunfermelyn, No. 26.

DAVID Dei gratia Rex Scottorum, Roberto electo Sancti Andreae et omnibus comitibus et baronibus et omnibus fidelibus suis, salutem.

Sciatis me concessisse et dedisse in perpetuum in elemosinam pro anima patris et matris meae et fratrum et antecessorum meorum, ecclesiae Sanctae Trinitatis de Dunfermelyn omnem decimationem de omnibus dominiis meis de Dunfermelyn, nisi de illis quae ad alias ecclesias pertinent; et unam mansuram in burgo meo de Dunfermelyn liberam et quietam, et aliam in burgo meo in Struelin, et aliam in burgo meo de Perth, et aliam in burgo meo de Edenesburge.

Testibus Roberto electo Sancti Andreae et Herberto Cancellario. Apud Dunfermelyn.

LXIII.

Pope Honorius II. to the Bishop elect of Candida Casa, circa A.D. 1125.

2 Concil. 24.

HONORIUS Episcopus, servus servorum Dei, dilecto filio electo de Candida Casa, salutem et apostolicam benedictionem.

Cui alii a Domino praeesse conceditur, nulla suis digne subesse praelatis superbia convincatur: ideoque

per praesentia scripta tibi mandamus, ut ad carissimum fratrem nostrum Turstinum Eboracensem Archiepiscopum tanquam ad proprium metropolitanum tuum consecrandus accedas: et ab ipsius manu, praesente Sancti Spiritus gratia cum humilitatis devotione consecrationem accipias.

Data Laterani quinto idus Decembri.

LXIV.

Profession of Gilla-Aldan, Bishop elect of Candida Casa, to Thurstin, Archbishop of York, circa A.D. 1126.

6 Dugdale, Monasticon, p. 1189; 2 Concil. 25.

DOMINO et patri suo reverendo Thurstino Dei gratia Eboracensis provinciae metropolitano, Gilla Aldan humilis electus Candidae Casae salutem et obedientiam.

Cognovi, tam scriptis patrum authenticis quam veredicis antiquorum virorum testimoniis, quod episcopus Candidae Casae ab antiquo debeat ad matrem suam Eboracensem metropolim respicere, et in his quae ad Deum pertinent obtemperare: quapropter ego Gilla Aldan Candidae Casae electus sanctae Eboracensis ecclesiae, et tibi Turstine et successoribus tuis canonice instituendis debitam subjectionem a sanctis patribus institutam et canonicam obedientiam me amodo servaturum promitto.

LXV.

Confirmation by King David of Coldingham and other lands to the Monks of St. Cuthbert at Durham, A.D. 1126.

The original is in the Treasury at Durham.

DAVID Dei gratia Rex Scottorum omnibus per regnum suum in Scotia et Lodoneio constitutis Scottis et Anglis salutem.

Sciatis me concessisse et dedisse Deo et Sancto Cuthberto et monachis ejus in elemosinam has terras in Lodoneio, scilicet Goldingeham, Aldecambes, Lumesdene, Ristun, Reinintun, Swinewde, Prenegest, Eitun et aliam Eitun et Cramesmutham, Lambertun et aliam Lambertun, Paxtun, Fiswic et Swintun omnes has suprascriptas terras ego do et concedo Deo et Sancto praedicto et monachis ejus cum sacca et socna et toll et team et infangethef et cum omnibus terris et silvis et aquis et fracturis navium et cum omnibus consuetudinibus, liberas et quietas ab omni opere et servitio, pro salute animae meae et filii mei Henrici et pro animabus patris et matris meae et fratrum et sororum mearum. Praecipio etiam et defendo ne aliquis de hac mea donatione aliquam injuriam vel molestiam aut calumpniam monachis Sancti Cuthberti amodo faciat quia volo ut haec mea elemosina libera et quieta ab omni calumpnia in perpetuum remaneat.

Haec carta firmata est anno ab incarnatione Domini M.C.XXVI, tertio anno regni mei, apud Pebles et etiam concessu Henrici filii mei.

Et isti alii sunt inde testes, Johannes Episcopus, Rodbertus de Brus, Herbertus Cancellarius, Ascelinus Archidiaconus, Paganus de Braiosa, Hugo Brito, Berengarius Ingania, Gospatricius, Vicecomes, Aimarus.

LXVI.

Mandate by King David that no distress be taken on the land nor from the men, of the Church of Dunfermline, except for their own debt, circa A.D. 1126.

Registr. de Dunfermelyn, No. 16.

David Dei gratia Rex Scottorum omnibus baronibus suis et fidelibus suis, salutem.

Praecipio vobis ne capiatis aliquod namum super terram et super homines Sanctae Trinitatis de Dunfermelyn pro forisfacto alicujus nisi pro proprio forisfacto illorum.

Teste Hugone de Moreuill. Apud Edenburge.

LXVII.

Mandate by King David that no distress be taken on the lands of the Church of St. Andrews for the debt of a stranger, circa A.D. 1126.

Registr. Prior. S. Andreae.

DAVID Rex Scottorum, baronibus vicecomitibus ministris et omnibus probis hominibus suis totius regni sui, salutem.

Sciatis quia volo et firmiter prohibeo quod nullum namum capiatur usquam in terris pertinentibus ecclesiae Sancti Andreae pro alterius forisfacto vel debitis aliorum.

Teste Herberto camerario apud Rochesburg.

LXVIII.

Grant by King David to the Church of Dunfermline of three serfs, circa A.D. 1126.

Registr. de Dunfermelyn, No. 19.

DAVID Dei gratia Rex Scottorum, omnibus probis hominibus suis, salutem.

Sciatis me dedisse Ragewin et Gillepatric et Ulchil in perpetuum ecclesiae Sanctae Trinitatis de Dunfermelyn sicuti homines meos proprios.

Testibus Johanne Episcopo et Gillemichel Comite et Waldeuo fratre Dolfin et Maldoueni judice et Unyet albo et Rob. Burgeis. Apud Dunfermelyn.

LXIX.

Grant by King David to the Church of Dunfermline of a toft in the burgh of Perth, circa A.D. 1126.

Registr. de Dunfermelyn, No. 25.

DAVID Dei gratia Rex Scotiae omnibus fidelibus hominibus suis totius Scotiae et praepositis de Perth, salutem.

Sciatis me dedisse in elemosinam ecclesiae Sanctae Trinitatis de Dunfermelyn unum toftum in meo burgo de Perth quietum de omnibus rebus.

Ideo mando vobis quatenus faciatis eidem ecclesiae habere illud ibidem quod Swain saisivit.

Testibus Herberto cancellario et Hugone de Moreuill. Apud Striuelin.

LXX.

Mandate by King David regarding fugitive serfs of the Church of Dunfermline, circa A.D. 1126.

Registr. de Dunfermelyn, No. 32.

DAVID Rex Scottorum omnibus fidelibus suis totius Scotiae et Laudoniae, salutem.

Praecipio quatenus cito Cumerlache reddantur ecclesiae Sanctae Trinitatis de Dunfermelyn et omnes servi sui quos pater meus et mater mea et fratres mei ei dederunt

et Cumerlache sui a tempore Edgari regis usque nunc cum tota pecunia sua ubicunque inveniantur et prohibeo ne injuste retineantur.

Testibus Herberto cancellario et Unyet. Apud Dunfermelin.

LXXI.

Charter by King David granting to the Monks of the Church of St. Andrew at Northampton, tithes and lands in Scaldeford and Exton, circa A.D. 1126.

5 Dugdale, p. 191 ; Regist. Prior. St. Andreae de Northampton.

DAVID Dei gratia Rex Scottorum omnibus baronibus et hominibus suis, salutem.

Sciatis me concessisse et confirmasse monachis ecclesiae Sancti Andreae Northamptoniae ut ubicunque decimas dominii mei plenarie eis habeant tam in pecoribus quam in omnibus fructibus terrae eis quicquid Confirmo igitur quicquid habent in villa de Scaldeford. scilicet unum molendinum et unam carrucatam terrae in liberam elemosinam.

Reliquam vero terram quam ibidem habent ea libertate tenebunt qua Robertus filius Vitalis, dominus ejusdem villae, terram suam tenet, nec aliquam consuetudinem ei inde debent sicut ipse confessus est ante me et meos homines.

Concedo igitur eis ut apud Extonam terram illam quae vocatur Wiliges frangatur et seminetur et nullus eos inquietare praesumat.

Testibus Michaele de Hanesel et Roberto de Brus et Roberto filio Nigelli. Apud Gerdelai.

LXXII.

Charter by King David to the Church of St. Cuthbert in Edinburgh, circa A.D. 1127.

Holyrood Charters, No. 3.

DAVID Rex Scottorum, omnibus probis hominibus suis totius Lodonie clericis et laicis, Francis et Anglicis, salutem.

Sciatis me dedisse et concessisse ecclesiae Sancti Cuthberti juxta castellum totam terram sub eodem castello videlicet a fonte quae oritur juxta angulum gardini regis per viam qua itur ad eandem ecclesiam et ex altera parte sub castello usque pervenitur ad unam viam quae est sub eodem castello versus orientem.

Testibus Henrico filio Regis et Willelmo de Graham et Thor de Trauernent et Malbead de Libertona.

LXXIII.

Charter by Robert, Bishop of St. Andrew's, granting to the church of Coldingham freedom from aid, cain, or conveth, payable to the Bishops of St. Andrews, A.D. 17 July, 1127.

The original is in the Treasury at Durham.

OMNIBUS sanctae matris ecclesiae fidelibus clericis et laicis tam praesentibus quam futuris, Rodbertus Dei gratia Sancti Andreae Episcopus, salutem.

Notum sit vobis omnibus quod nos coram domino nostro Rege David et Turstino Archiepiscopo Eboracensi

et Rannulfo Dunelmensi Episcopo, Johanne Episcopo Glascuensi, et Gaufrido Abbate Sancti Albani et aliis multis personis convocavimus Algarum Priorem Sancti Cuthberti de Dunelmo ante hostium Ecclesiae Sancti Johannis Evangelistae in Rokesburc, ibique quantum ad episcopalem auctoritatem pertinet praesentis cartae attestatione ac munimine clamavimus concessimus et confirmavimus, Ecclesiam de Coldingham liberam et quietam in perpetuum, tam a nobis quam a successoribus nostris ab omni calumpnia consuetudine Cana vel Cunevethe atque ab omni servitio quod ad nos pertinet vel ad successores nostros. Quare volumus ut episcopali auctoritate confirmamus, quatenus ecclesia de Coldingham et omnes ecclesiae vel capellae quae amodo canonice ad ecclesiam Sancti Cuthberti pertinuerint, libere et quiete sint in perpetuum ab omni episcopali auxilio Cana et Conevethe ita ut liberiores et quietiores sint quam aliquae aliae ecclesiae abbatiarum quae fuerint in Lothoneio. Et prohibemus ne aliquis amodo episcopus, archidiaconus vel decanus, aliquam omnino ulterius consuetudinem vel auxilium ab eis exigat, nisi forte gratis dare voluerint. Haec omnia fecimus prece et consilio domini Regis David et praedictorum Episcoporum fratrum nostrorum, pro amore Sancti Cuthberti et fraternitate Dunelmensium monachorum XVI. Kalendas Augusti in festo Sancti Kentigerni Martyris, anno ab incarnatione Domini MC.XXVII.

Testibus praesentibus Rodberto fratre meo, Blahano presbitero de Litun, Adulfo presbitero de Aldehamstoc, Henrico presbitero de Leinhale, Orm presbitero de Edenham et Johanne presbitero de Ledgardeswde, Godwino dapifero Godwino camerario meo et Balsan, cum multis aliis personis religiosis tam clericorum quam laicorum.

LXXIV.

Charter by King David to the Church of Dunfermline confirming the grants of preceding kings, and granting many lands and privileges, circa A.D. 1128.

Registr. de Dunfermelyn, No. 1.

In nomine Sanctae et Individuae Trinitatis. Ego David Dei gratia Rex Scottorum, auctoritate regia ac potestate, Henrici filii mei assensu, et Matildis Reginae uxoris meae, episcoporum, comitum, baronumque regni mei confirmatione et testimonio clero etiam adquiescente et populo, ecclesiae Sanctae Trinitatis Dunfermelitane, praedecessorum meorum pietatis studio et largitionis initiatae omnia subscripta concedo et pace perpetua confirmo.

Patris itaque et matris meae dona subsequentia propono, Pardusin, Pethnaurcha, Petcorthin, Petbachelin, Lauer, Bolgin, Schyram de Kircalethyn, Inuiresc minorem. Dona Duncan patris mei duas villas nomine Lusker; Dona Edgaris patris mei Schyram de Gellald. Dona Ethelredi fratris mei, Hale. Dona Alexandri Regis fratris mei, Duninad, Schiram de Gatemilc, Petconmarthin, Balekerin, Drumbernin, Keeth. Dona Sibillae Reginae, Beeth. Et haec praedicta praedecessorum meorum dona concedo liberaliter prefatae ecclesiae in perpetuum cum omnibus suis appendiciis et rectis divisis.

Dona denique propria subsequuntur, Dunfermlin citra aquam in qua ecclesia sita est, Kingorn cum suis appendiciis qui propinquior est Dunfermlin, Foeth, Inveresc majorem cum molendino et piscinis, unam mansuram in Berwiche, aliam in burgo de Edinburgh, tertiam in burgo de Striuelin, quartam in burgo Dunfermelitañ quintam in burgo de Perth et ecclesiam burgi de Perth et redditum centum solidorum in Anglia.

Omnia autem dona praedicta ita liberaliter et quiete praefatae ecclesiae concedo, sicut ego terras meas proprias possideo, defensione regni mei excepta et justitia regali, si Abbas in curia sua aliqua negligentia de justitia deciderit.

Concedo et omnem octavam partem de omnibus placitis et querelis meis de Fif et de Fotherif, et omnem decimam totius mei can quod afferetur ad Dunfermlin, et omnem decimam praebendae quae afferetur ibidem de Fif et de Fotherif, et decimam omnium venationum quae ibidem afferentur et medietatem coriorum et seporum et segaminis omnium bestiarum quae occidentur ad festivitates tenendas in Struelin et inter Forth et Tey, et concedo can unius navis liberum et quietum ubicunque in regno meo applicuerit, concedo et ut habeant in nemoribus meis omnia necessaria ad ignem et ad aedificia sua sicut meipsi et hominibus eorum sicut et meis.

Volo denique ut omnes oblationes quae ad majus altare ejusdem offerentur sine calumpnia liberaliter habeant et de seliches quae ad Kingorn capientur postquam decimatae fuerint, concedo ut omnes septimos seliches habeant, salisque et [ferri] quae ad opus meum ad Dunfermlin adlata fuerint omnem decimam concedo.

Supra taxatam autem ecclesiam cum omnibus quae Dei donante clementia, in praesenti sicut praesens testatur privilegium obtinet et in futuro eadem adquirere clementia valebit in summae pacis tranquillitate et ab omni liberimam tam secularis quam ecclesiasticae potestatis subjectione et exactionis inquietudinem permanere decernimus excepta sola canonica obediencia quam debet unaque matris suae per orbem ecclesia.

Eandem quoque libertatem in omnibus quam ecclesia Sancti Andreae retinet jure inconcusso aeternaliter possideat.

Cujus etiam jura in hoc privilegio praenotata est dignitatis privilegia immutilata servare et stabilitate perpetua firmare.

Nosque praesentes sumus successoribus nostris sub hac conditione confirmando mandamus et mandando confirmamus ut siquis ea perturbare voluerit et nostrae defensionis statuta divellere minuere ac violare contenderet non ignoret se contra ipsum mundi Salvatorem niti et ideo nec resipuerit aeternae damnationis sententiam incurrere eumque Deus de libro vitae deleat quae ecclesiae prefatae de concessu potestatis jure aliquod abstulerit. Amen Fiat. Ego Robertus Sancti Andreae Episcopus confirmo, Ego Johannis Glasguensis Episcopus confirmo, Ego Cormaccus Dunkeldensis Episcopus confirmo, Ego Gregorius Moraviensis Episcopus confirmo, Ego Macbeth Rosmarkensis Episcopus confirmo.

Hujus et privilegia testes et assertores sunt Ed. Comes, Constantinus Comes, Malise Comes, Rotheri Comes, Madeth Comes, Gillemichel Mac duf, Herbertus Cancellarius, Hugo de Moreuill, Robertus Corbet, Robertus de Monte acuto, Vnyet albus, Maldoueni Mac ocbeth, Maldoueni de Scona, Gillepatric Mac Impethin Alwyn Mac Arkil, Robertus Burg, Edwardus filius Siwardi, Walclinus Capellanus.

LXXV.

King David, respecting the consecration of Robert, Bishop of St. Andrews, at York, A.D. 1128.

2 Concil. p. 215; Dugdale's Monasticon, VI., p. 1187.

DAVID Dei gratia Rex Scottorum, Universis Sanctae Ecclesiae filiis, salutem.

Notum sit tam praesentibus quam futuris, Thurstinum Eboracensis Archiepiscopum consecrasse sine professione et obedientia pro amore Dei et mei, Robertum Sancti

Andreae Episcopum, salva querela Eboracensis Ecclesiae, et salva justitia Sancti Andreae.

Et si quando Archiepiscopus Eboracensis de querela sua loqui voluerit, plenariam rectitudinem remota malivolentia ei exequar, ubi juste debebo.

Testibus Ranulfo Dunelmensi Episcopo, Johanne Glasguensi, Radulpho Orcadensi, Gaufrido Eboracensi monasterii abbate, Herebert Rochesburg' Wold' de Croyland Adelof priore, Sconensi, Gaultero de Gaunt, Eustachio filio Johannis, Hugone Decano et toto Sancti Petri capitulo, Gaufrido Murdac, Anketino de Bulemer, Roberto de Wanevilla, Rogero de Eummers; et de Scotia, Aymaro milite, Aldano filio Alsimald, Ulkil filio Morvyn, Ulkil filio Maldred, Gilcolyn Slugepah.

LXXVI.

Declaration by Thurstin, Archbishop of York, regarding the consecration of the Bishop of St. Andrews, A.D. 1128.

2 Concil. 215; 2 Wharton, A.S. 237, from MS. Cotton, Titus A. XIX.

THURSTINUS Archiepiscopus Dei gratia Eboracensis Universis Sanctae Ecclesiae filiis, salutem.

Notum sit omnibus tam praesentibus quam futuris absolute me consecrasse sine professione et obedientia, pro Dei amore, et Regis Scotiae venerabilis David, Robertum Sancti Andreae Episcopum, salva querela Eboracensis Ecclesiae et justitia Ecclesiae Sancti Andreae. Et si Archiepiscopus Eboracensis de querela sua loqui voluerit, Rex plenariam rectitudinem remota malevolentia ei exequetur, ubi juste debebit.

Testibus Ranulfo Dunelmensi Episcopo, Johanne Glascuensi Episcopo, Radulfo Orcadensi, Galfrido Eboracensis monasterii abbate, Herberto Rocosberiensi, Wal-

devo de Creilant, Adulfo priore, Nicolao Sconensi, Waltero de Gant, Eustachio filio Johannis, Hugone decano et toto Sancti Petri capitulo, Galfrido Murdac, Aschetin de Bulmere; et de Scotia, Almaro milite, Alden filio Adhelwold, Ulchil filio Mernin, Ulchil filio Maldred, Gille Colman, Slugedt, Roberto de Watervile, Rogero Coyneres.

LXXVII.

Grant by King David to the Church of Dunfermline of the tithe of his house at Perth, circa A.D. 1128.

Registr. de Dunfermelyn, No. 17.

DAVID Dei gratia Rex Scotiae, Malbride Mac congi, salutem.

Scias me concessisse ecclesiae Sanctae Trinitatis de Dunfermelyn omnem decimam de domo mea de Perth quae mihi pertinet.

Teste Uniet albo. Apud Scona.

LXXVIII.

Grant by King David to the Church of Dunfermline of a tithe of gold from Fife and Fothris, circa A.D. 1128.

Registr. de Dunfermelyn, No. 28.

DAVID Rex Scottorum, omnibus hominibus suis, salutem.

Sciatis me dedisse et concessisse ecclesiae Sanctae Trinitatis de Dunfermelyn in elemosinam omnem decimam de auro quod mihi eveniet de fif et de fothrif.

Testibus . . . Cancellario et Hugone de Moreuill et Johanne Episcopo. Apud Elbotle.

LXXIX.

Grant by King David to the Church of Dunfermline of the Church of Inveresk, circa A.D. 1128.

Registr. de Dunfermelyn, No. 30.

DAVID Dei gratia Rex Scotiae, omnibus fidelibus suis, salutem.

Sciatis me dedisse in elemosinam ecclesiae Sanctae Trinitatis de Dunfermelyn, ecclesiam de Infresc post obitum Nicholai sacerdotis.

Teste, Johanne Episcopo. Apud Dunfermelyn.

LXXX.

Record of the Trial of a complaint by the Monks of St. Serfs Island against Sir Robert Burgonensis, circa A.D. 1128.

Registr. Prior. St. Andreae.

FORNAX et incendium totius iniquitatis, scilicet Robertus Burgonensis miles, gravaminibus et injuriis praefatos viros religiosos nequiter et calumpniose vexavit et fatigavit, volens precise fervore suae rapacitatis et infrenatae tyrannidis ab eis auferre quartam partem de Kyrkenes.

Consilio inito a fratribus juxta simplicitatem suam accesserunt ad praesentiam regis David, supplicantes ei ut justum judicium faceret inter eos et praefatum Robertum. Tandem Rex misericordia motus misit nuncios suos per provinciam de Fyf et Fothrithi et convocavit hominum multitudinem in unum locum, scilicet,

Constantinum, comitem de Fyf, virum discretum et facundum, cum satrapys et satellitibus et exercitu de Fyf, et Macbeath thaynetum de Falleland, et primicerios et duces et lumnarcas exercitus Episcopi, et Soen, ducem cum familia sua. Et tunc temporis fuerunt duces exercitus episcopi Budadh et Slogadadh. Et hi omnes sunt testes hujus altercationis et dissentionis.

Tandem fuit compromissum in tres viros legales et idoneos, scilicet, Constantinum, comitem de Fyf, magnum judicem in Scotia, et Dufgal filium Mocche, qui fuit senex justus et venerabilis, et Meldoinneth filium Machedath, judicem bonum et discretum.

Sed iste Dufgal primo pronunciavit sententiam pro monachis id est Keledeis et contra protervitatem et calumpniam Roberti Burgonensis, quia alii judices detulerunt Dufgal propter sui senectutem et juris peritiam. Et ita fuit decisum istud negotium sententionaliter et per juramentum.

Isti sunt clerici qui juraverunt super finibus villae de Kyrkenes, Duftah sacerdos et abbas et Sarran, filius Sodelne, et Eugenius monachus et Douinalde nepos Leod, et Morrehat vir venerandae senectutis et hiberniensis, et Cathan senex. Et sic victus fuit praedictus Robertus coram omnibus.

LXXXI.

Grant by Robert, Bishop of St. Andrews, to the Canons of Holyrood of the Church of the vill of Leuing, circa A.D. 1128.

Holyrood Charters, No. 10.

R. Dei gratia Sancti Andreae humilis minister, omnibus sanctae matris ecclesiae filiis salutem et benedictionem.

Innotescat tam praesentibus quam futuris nos concessisse et dedisse ecclesiam de villa Leuing sicut ipse concessit abbati et canonicis de Sancta Cruce, salva reverentia ecclesiae Sancti Andreae et episcopali dignitate cum omnibus rebus eidem ecclesiae juste pertinentibus.

His praesentibus testibus T. Archid., A. decano, M. Thoma, W. Capellano, Magistro H, R. de Boilestunea. Valete.

LXXXII.

Confirmation by Robert, Bishop of St. Andrews, of the right of the Abbey of Kelso to the Church of St. Mary in Kelso, circa A.D. 1128.

Liber de Calchou, No. 443.

ROBERTUS Dei gratia Ecclesiae Sancti Andreae episcopus omnibus sanctae matris ecclesiae fidelibus, salutem.

Sciant omnes sanctae ecclesiae filii praesentes et futuri quod pro amore Dei et honore et petitione David illustris Scottorum Regis, concessi solutam et quietam et omni subjectione et exactione liberam, ecclesiam Sanctae Mariae de Calceho quam idem Rex David in abbaciam pro Dei amore aedificavit ita scilicet ut Abbas et monachi ejusdem ecclesiae a quocunque episcopo voluerint in Scotia vel in Cumbria crisma suum et oleum et ordinationem ipsius abbatis et monachorum et cetera sanctae ecclesiae sacramenta accipiant.

Testibus eodem Regi David et filio suo Henrico, Matildi Regina, Johanne Glasguensis episcopo, Ascelino Archidiacono, Adelulfo Sancti Oswaldi priore, Nicholao Sconensi priore, Willelmo Regis nepote, Hugone de Moruilla, Roberto de Unfranvilla et aliis.

LXXXIII.

Charter by King David to the Church of St. John in the Castle of Roxburgh, circa A.D. 1128.

Registr. Episcop. Glasguensis, No. 4.

DAVID Dei gratia Rex Scottorum, omnibus fidelibus suis et universis sanctae matris ecclesiae filiis, salutem.

Sciant tam posteri quam praesentes me dedisse in perpetuum et libere ecclesiae Sancti Johannis de castro de Rokesburge, unam carrucatam terrae de dominico meo de Rokesburge, et unum plenarium toftum cum omnibus pertinentiis, et unam maisuram terrae infra castrum, et totam oblationem illorum qui manent vel residentes sunt in castro, et [quartam] partem oblationis meae quando fuero in castro vel familia mea fuerit unus de capellanis meis habebit, et totam decimam virgulti mei et totam decimam partem de sepo occisionis meae quae fit in Teuiethesdale. Et haec omnia concedo praedictae ecclesiae et hac mea carta confirmo ita libere, quiete et honorifice, sicut aliqua elemosina potest melius et liberius et honorificentius dari aut concedi alicui ecclesiae.

Testibus Johanne Episcopo et Henrico filio meo, Willelmo filio Dunecani, Waldef filio Reginae, Roberto Corbet et Cospatricio Vicecomite, Edwardo et Ricardo capellanis, Hugone Brittone, Berengario Engaine, Ascelino Archidiacono, Aldredo decano, Hugone de Moreuille. Apud Rokesburge.

LXXXIV.

Charter by King David to the Abbot and Monks of Dunfermline, granting freedom from secular service, circa A.D. 1130.

Registr. de Dunfermelyn, No. 31.

DAVID Dei gratia Rex Scottorum, omnibus probis hominibus suis, salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sanctae Trinitatis de Dunfermelyn et abbati et monachis ibidem Deo servientibus, pro anima patris mei et matris meae et pro animabus omnium antecessorum meorum et successorum, ut homines sui sint liberi ab omni operatione castellorum et pontium et omnium aliorum operum. Quare volo et precipio quatenus haec libertas eis in perpetuum conservetur inconcussa.

Testibus Johanne Episcopo et Gillemichel comite et Roberto de Brus et Hugone de Moreuille. Apud Strathyrewen in Galwegia.

LXXXV.

Mandate by King David to preserve the rights of the Church of Dunfermline, circa A.D. 1130.

Registr. de Dunfermelyn, No. 18.

DAVID Dei gratia Rex Scotiae, Constantino et omnibus pertinentibus ad ecclesiam Sanctae Trinitatis hominibus, salutem.

Praecipio quatenus omnes consuetudines quas juste eidem ecclesiae debetis sine contradictione reddatis et operi insistite quod ibi inceptum est sine aliqua dilatione. Quod si contempnitis facere, praecipio meo praeposito Suuene ne hoc patiatur et ut sit priori in adjutorium ut ecclesia ab eis habeat sicut a meis hominibus habeo.

Teste Edwardo capellano. Apud Strathirewin in Galwegia.

LXXXVI.

Grant by King David to the Abbot of Dunfermline of the tithe of the King's rent from Stirling, circa A.D. 1130.

Registr. de Dunfermelyn, No. 8.

DAVID Rex Scottorum vicecomiti et praepositis de Striuelin, salutem.

Sciatis me concessisse Deo et abbati de Dunfermelyn decimam denariorum de censu meo de Striuelin. Quare volo et firmiter praecipio ut sine omni disturbatione faciatis ei eam habere sicut denarii venient.

Testibus Roberto de Bruus, et Hugone de Moreville. Apud Striuelin.

LXXXVII.

Mandate by King David in favour of the Abbot and Monks of Dunfermline regarding ships trading at Inveresk, circa A.D. 1130.

Registr. de Dunfermelyn, No. 13.

DAVID Rex Scottorum omnibus probis hominibus totius terrae suae, salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae S. Trinitatis de Dunfermelyn et abbati et monachis ibidem Deo servientibus ut habeant omnes rectitudines de omnibus navibus quae in portum de Inviresc applicuerint et ibi super terram suam retinacula sua fixerint, excepto theloneo meo si ibi mercatores navium merces suas vendiderint, vel alias ad deferendum secum in terra mea mercati fuerint.

Testibus Hugone de Moreuille, Willelmo de Sumeruille, Herberto Camerario, Thoro filio Swani. Apud Perth.

LXXXVIII.

Grant by King David exempting a ship of the Abbot of Dunfermline from the King's dues, circa A.D. 1130.

Registr. de Dunfermelyn, No. 14.

DAVID Dei gratia Rex Scottorum omnibus probis hominibus suis, salutem.

Sciatis me clamasse navem abbatis de Dunfermelyn et omnia infra eam existentia quieta de omni consuetudine mihi pertinenti.

Teste, Johanne episcopo. Apud Perth.

LXXXIX.

Confirmation by King David of the rights of the Priory of Durham in the Church of Coldingham, circa A.D. 1130.

The original is in the Treasury at Durham.

DAVID Dei gratia Rex Scottorum omnibus Sanctae Ecclesiae fidelibus praesentibus et futuris, salutem.

Notum sit vobis omnibus quod Robertus Episcopus Sancti Andreae in presentia mea apud Rokesburg convocavit Alg. priorem Dunelm̃ et Rog. subpriorem ante hostium ecclesiae Sancti Johannis Evangelistae dicens et contestans se nullam consuetudinem nihil juris clamare

super ecclesiam de Coldingham sed velle et concedere ut ipsa ecclesia libera et quieta esset ab omni consuetudine et servitio salva episcopali obedientia. Volo itaque et firmiter praecipio ut ipsa mea elemosina scilicet ecclesia de Coldingham libera et quieta ab omni consuetudine et servitio et exactione in perpetuum remaneat monachis Sancti Cuthberti.

Testibus his Jo[hanni Episco]po, Roberto de Brus, Hereberto Cancellario, Ascelino Archidiacono, Hugone de Morevilla, Pagano de Braiosa, Hugone Brett, Bernegario Ingania, Aimaro et aliis multis.

XC.

Confirmation by King David of the boundary between Coldingham and Bonkyl, circa A.D. 1130.

The original is in the Treasury at Durham.

DAVID Rex Scottorum episcopis abbatibus comitibus baronibus justiciis vicecomitibus et omnibus probis hominibus suis Scottis et Anglicis totius terrae suae, salutem.

Sciant praesentes et futuri me concessisse et hac mea carta confirmasse divisas inter Coldingham et Bonekil quas ego cum probis hominibus meis perambulari feci in perpetuum tenendas libere et quiete et plenarie, scilicet a Midlesdeneheued per Mereburnesheued versus occidentem usque ad Crachoctre et inde per eandem stratam usque ad Eiford.

Testibus his Johanne Glascuensi Episcopo, Herberto Cancellario, R. de Brus, Pagano de Brausa, Hugone de Morevilla, Berengario Engain. Apud Rokesburc.

XCI.

Charter by King David to the Church of Dunfermline of a ploughgate in Craigmillar reserving the liferent of the wife of Roger Cass, circa A.D. 1130.

Registr. de Dunfermelyn, No. 12.

DAVID Rex Scottorum, baronibus, vicecomitibus, ministris et omnibus fidelibus suis totius Laudonie, salutem.

Sciatis me dedisse ecclesiae Sanctae Trinitatis de Dunfermelyn, in perpetuam elemosinam unam carrucatam terrae arabilis in Cragmilor et domos in quibus habitabat uxor Rogeri Cassi, et hoc do et concedo, praedictae ecclesiae, pro anima mea, et filii mei et antecessorum meorum et successorum ad tenendam ita libere sicut eadem ecclesia melius liberius tenet suas alias terras, et quamdiu praedicta uxor vixerit teneat hanc terram et domos de eadem ecclesia si voluerit, si non, remaneat praedicta terra omnino quieta ad opus praedictae ecclesiae.

Testibus Roberto episcopo Sancti Andreae Johanne episcopo et cancellario, et Dunecano comite, Edwardo constabulario. Apud Scon.

XCII.

Confirmation by Robert, Bishop of St. Andrews, of King David's grant to the Abbey of Holyrood, circa A.D. 1130.

Holyrood Charters, No. 2.

OMNIBUS filiis Sanctae Matris ecclesiae, Rodbertus Dei gratia minister humilis ecclesiae Sancti Andreae, salutem et episcopalem benedictionem.

Noscat vestra fraternitas, nos assensu totius capituli nostri, concessisse et carta nostra confirmasse ea omnia quae Rex David in elemosinam perpetuam dedit ecclesiae Sanctae Crucis de Edenesburc scilicet ecclesiam de Castello cum saletunia, et omnibus aliis ejus appenditiis, et ecclesiam Sancti Cuthberti cum omnibus ad eam pertinentibus, et ecclesiam de Crostorfin cum duabus bovatis et sex acris terrae et ceteris rebus ad eam pertinentibus, et ecclesiam de Ereth cum suis appenditiis et in eadem villa duas carrucatas terrae, et unam salinam cum viginti septem acris terrae, et ecclesiam de villa Leuingi cum dimidia carrucata terrae et omnibus aliis quae ad eam pertinet, et ecclesiam de Hamere cum omnibus appenditiis suis et Hameram et Fordam cum rectis divisis eorum.

Broctunam cum rectis divisis suis et Inverlet et Pendendreiam cum rectis divisis, et omnia quaecunque carta regis testatur et sicut testatur, haec ut praedictum, concessimus et concedendo confirmavimus, et omnia alia quae praefata ecclesia in futurum juste adquirere poterit, salva dignitate et auctoritate episcopali.

His testibus Toraldo archidiacono, Aiulfo decano, Willelmo capellano episcopi, Gvalerenna capellano, Nicholao clerico, Magistro Hereberto Scotto, Radulfo nepote episcopi, Rogero milite nepote episcopi, Turstino filio Leuingi.

XCIII.

Confirmation by King David of the rights of the Abbot of Holyrood in Airth, circa A.D. 1130.

Holyrood Charters, No. 5.

DAVID Rex Scotiae, Episcopo S. Andreae et vicecomiti et omnibus probis hominibus suis totius Striuelinshire, salutem.

Sciatis quod volo et firmiter praecipio quatenus Abbas Sanctae Crucis de Edeneburg habeat omnes consuetudines illas in Heret, videlicet in aquis et in aliis locis et omnes rectitudines quae ad ecclesiam ejusdem villae pertinent sicut melius habuit die illa quam illud habui in meo dominio.

Testibus Johanne Episcopo, Roberto de Burnouille Rogero nepote Roberti Episcopi. Apud Striuelin.

XCIV.

Confirmation by King David to the church of Dunfermline of the shire of Kirkcaldy, circa A.D. 1130.

Registr. de Dunfermelyn, No. 29.

DAVID Dei gratia Rex Scottorum, episcopis abbatibus, comitibus vicecomitibus baronibus praepositis ministris et omnibus probis hominibus totius terrae suae Francis, Anglicis, Scottis, salutem.

Sciatis me dedisse et redidisse Deo et ecclesiae Sanctae Trinitatis de Dunfermelyn et Abbati et monachis ibidem Deo servientibus, totam scyram de Kircaladin, quam Constantinus comes ab eis vi tenuit, in perpetuam elemosinam, cum omnibus libertatibus et dignitatibus cum quibus pater meus et mater mea eandem terram pro salute animarum suarum et predecessorum et successorum suorum ecclesiae dederunt, videlicet in ecclesia et molendino et in terris et aquis et pratis et pascuis in boscho et plano et in omnibus ad eam pertinentibus. Quare prohibeo ne alicui de heredibus Constantini eam calumpnianti, inde respondeant sed quiete et pacifice praedictam terram in perpetuum teneant.

Testibus, Roberto Episcopo S. Andreae, Johanne Episcopo Glascuensi, Cormacco Episcopo de Dunkeld, Madeth

Comite, Malis Comite, Head Comite, Hugone de Moreuille, Herberto Cancellario, Roberto Corbet, Edwardo Constabulario, Malotheni Vicecomite de Scona, Alwino mac Archil. Apud Striueline.

XCV.

Notitia of a grant to the Church of Deer, ante A.D. 1130.

Translated from the Gaelic in the Book of Deer.

GARTNAIT and the daughter of Gillemichel gave Ball Domin in Pet Spuir to Christ and to Columcille and to Drostan.

Witnesses, Gillecalline priest, and Feradach, son of Maelbhricin, and Maelgirc, son of Tralin.

XCVI.

Mandate by King David that no one take anything from the lands granted by him to the church of Holyrood, circa A.D. 1130.

Holyrood Charters, No. 4.

DAVID Rex Scottorum omnibus probis hominibus suis de Edenesburc Sira, salutem.

Prohibeo ne aliquis super terram aliquod accipiat quam dedi in elemosinam ecclesiae Sanctae Crucis de Edenesburc nisi per licentiam et concessum canonicorum ibidem Deo et Sanctae Crucis servientium. Scilicet nec in herba nec in cespitibus sive in aliis rebus nisi per concessum canonicorum praedictorum.

Teste Johanne episcopo. Apud Edenesburc.

XCVII.

Grant by Gartnait and Ete, A.D. 1131-1132.

Translated from the Gaelic in the Book of Deer.

GARTNAIT, son of Cainnech, and Ete daughter of Gillemichel, gave Pet-mac-Cobrig for (the) consecration of a Church to Christ and Peter (the) Apostle and to Columcille and Drostan free from all exactions, with the gift of them to Cormac, Bishop of Dunkeld, in the eighth year of David's reign.

These are the witnesses Nectan, Bishop of Aberdeen, and Leot, Abbot of Brechin, and Maledoun son of Mac Bead, and Algune, son of Arcell, and Ruadri, mormaer of Marr, and Matadin the Brehon, and Gillechrist son of Cormac, and Mael-peter son of Domnall, and Domongart Ferliginn of Turbruad, and Gillecolaim, son of Muredach, and Dubni, son of Maelcolaim.

XCVIII.

Charter by King David to the Priory of the Holy Trinity in London, circa A.D. 1132.

Regist. Prior. S. Trinitatis.

DAVID Rex Scottorum Gilberto Londonensi Episcopo et omnibus fidelibus, salutem.

Sciatis me dedisse ecclesiam de Toteham canonicis ecclesiae Sanctae Trinitatis Londonensis perpetuo jure in elemosinam, pro salute animae meae et pro anima Matildae Reginae sororis meae et Matildis Reginae uxoris meae, et Simonis Comitis, et omnium antecessorum nostrorum, et ut canonici beneficiant servire ecclesiae.

Testibus, Hereberto Cancellario, Walkelino Capellano, Hugone de Morvilla, Roberto de Brus, Waltero a 'Espec.

XCIX.

Charter by King David granting to the Monks of St. Cuthbert the church of St. Mary at Berwick, A.D. 1130-1133.

The original is in the Treasury at Durham.

DAVID Dei gratia Rex Scottorum omnibus episcopis suis et comitibus et baronibus simulque omnibus probis hominibus suis totius terrae suae, salutem.

Scitote me dedisse et concessisse Deo et Sancto Cuthberto et monachis ejusdem Sancti, ecclesiam Sanctae Mariae de Berwic cum terra et decimis et omnibus rectitudinibus praedictae ecclesiae terra et aqua pertinentibus et hoc in excambio pro ecclesia de Melros et pro rectitudinibus quas ibi habuerunt, ita libere et quiete et honorifice sicut unquam liberius et quietius et honorabilius tenuerunt ecclesiam et res suas de Melros. Concedente et confirmante hoc Henrico filio meo.

Testibus Johanne episcopo et Herberto abbate de Rochesburc et Willelmo nepote regis et Acelino archidiacono et Roberto de Umframvilla et Estmundo clerico et Berenger Engaine, et Gualeram capellano et Roberto Grimbal et Normanno vicecomite et Willelmo de Sumervilla et Roberto de Burnovilla. Apud Berewic.

C.

Charter by King David granting Swinton to his knight Hernulf, circa A.D. 1135.

The original is in the Treasury at Durham.

DAVID Rex Scottorum et Henricus suus filius omnibus vicecomitibus suis cunctisque baronibus Francis et Anglis, salutem.

Sciatis quod dedi et concessi huic meo militi Hernulfo, Swintun in feudam sibi et heredi suo cum omnibus hominibus suisque pecuniis.

Tenere bene et libere et honorifice sicut ullus ex meis baronibus melius ac liberius tenet et quicquid ad eam pertinens et easdem consuetudines per quas Liulfus filius Edulfi et Udardus filius suus tenuerunt, tenere de Sancto Cuthberto et de me, XL. solidos reddente monachis de Dunelmia sine omnibus aliis servitiis.

Testibus Willelmo filio Dunecan et Maduc consule et comite Dunecan et Radulfo Nuuel et Marsel Marmiun et Waltero filio Alani et Herberto Chamberlein et Adamo filio Edwardi et Willelmo de Lindesi. Ad Hadintunea. Valete.

CI.

Charter by King David granting Swinton to his knight Arnolf, circa A.D. 1135.

The original is in the Treasury at Durham.

DAVID Rex Scottorum comitibus baronibus vicecomitibus ministris et omnibus fidelibus suis clericis et laicis totius terrae suae, salutem.

Sciatis me concessisse et dedisse Arnulfo isti meo militi totam terram de Swinton cum pecunia et hominibus et omnibus rebus juste ad eandem terram pertinentibus: in feudo et in hereditate sibi et heredibus ita libere et quiete et honorifice tenere et habere sicut Udardus vicecomes eam tenuit liberius et quietius per illud servitium inde faciendo monachis Dunhelmie quod ipse Udard eis inde faciebat, praesentibus testibus Willelmo nepote Regis et Madd. comite et Dunecano comite et Hugone de Morvilla et Waltero filio Alan. Apud Trauercoir.

CII.

Pope Innocent II. to John, Bishop of Glasgow, Nov. 29, 1131.

Dugdale Monasticon, VI., 1187, No. 50; Reg. Alb. Ebor., p. 1, fol. 52*a*; 2 Concil., 26.

INNOCENTIUS Episcopus, servus servorum Dei, Venerabili fratri Johanni Glesguensi episcopo salutem et apostolicam benedictionem.

Praedecessor noster felicis memoriae Papa Paschalis, salvo siquidem Eboracensis ecclesiae jure, tibi manum consecrationis imposuit.

Postmodum vero successores ejus sanctae recordationis Calixtus et Honorius Romani pontifices, tibi per scripta apostolica mandaverunt quatenus venerabili fratri nostro Turstino Archiepiscopo Eboracensi tanquam proprio metropolitano obedientiam et reverentiam exhiberes: quamvis autem, prout ipse asserit, ei obedire promiseris, nondum tamen id effectu prosequente complesti.

Quocirca per praesentia tibi scripta praecipimus, ut omni dilatione seu [tergiversatione] remota, praedicto fratri nostro T. Archiepiscopo humiliter pareas: alioquin ei in sua deesse justitia non poterimus.

Data Altisiodori tertio Cal. Decembris.

CIII.

Charter by King David to the Abbey of Dunfermline of the tithe of his can from Fife, Fothrif and Clackmannan, circa A.D. 1133.

Registr. de Dunfermelyn, No. 27.

DAVID Dei gratia Rex Scottorum, Omnibus probis hominibus totius terrae suae salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Trinitatis de Dunfermelyn et abbati et fratribus ibidem Deo servientibus omnem decimam totius mei can de Fif et de Fothrif et de Clacmanan in farina et caseo et praebenda et brasio in porcis et vaccis in perpetuam elemosinam pro salute animae meae et omnium praedecessorum meorum et successorum meorum. Quare ministris meis firmiter praecipio quatenus cum istud can receperint eis rectam decimam sine omni molestia et vexatione reddant et prohibeo super meam plenariam forisfacturam ne aliquis eis inde quicquam subtrahere praesumat.

Testibus Roberto Episcopo Sancti Andreae, Johanne Episcopo de Glascu, et Gillemichel comite de Fif, Hugone de Moreuille, Roberto Corbeth, Herberto cancellario, et Philippo camerario, Alwino filio Archil. Apud Dunfermelyn.

CIV.

Charter by King David granting Govan to the church of Glasgow, circa A.D. 1134.

Registr. Epis. Glasguen., No. 6.

DAVID Dei gratia Rex Scottorum, Omnibus sanctae ecclesiae fidelibus salutem.

Sciatis me dedisse et concessisse ecclesiae Sancti Kentigerni de Glasgu et episcopatui ejusdem ecclesiae, Guven cum suis divisis, solutam et quietam, perpetuo in elemosinam possidendam, sicut aliqua elemosina liberius et quietius potest et debetur dari.

Testibus Henrico filio Regis et concedente, Roberto Episcopo Sancti Andreae, Gaufrido Abbate Dunfermelitano Herberto Abbate de Rochesburc, Roberto de Brus, Roberto de Unfrauilla, Hugone de Moruilla, Herberto cancellario, Cospatric fratre Dalfin, Gilmichel, Uniet albo, Aluuino Rennere.

CV.

Mandate by King David regarding the jurisdiction of the court of the Abbey of Dunfermline, circa A.D. 1135.

Registr. de Dunfermelyn, No. 15.

DAVID Rex Scottorum, Episcopo Sancti Andreae et Comiti et Omnibus probis hominibus suis totius Fif salutem.

Prohibeo quod homines abbatis de Dunfermelyn de Nithbren alicui non respondeant de placitis et calumpniis unde calumpniati fuerint, nisi in curia Sanctae Trinitatis et Abbatis de Dunfermelyn et praecipio quod judex meus illius provinciae cum hominibus qui illuc placitari venerint intersit ut placita et justitiae juste tractentur.

Testibus Gregorio Episcopo Dunkeldensi Edwardo constabulario. Apud Scona.

CVI.

Grant by King David of a fishing to the church of Coldingham, circa A.D. 1135.

Ex Cartuar. parvo Eccles. Dunelm.

DAVID Rex Scottorum Episcopis abbatibus comitibus justitiis baronibus vicecomitibus praepositis ministris et omnibus probis hominibus totius terrae suae Francis et Anglis salutem.

Sciant tam posteri quam praesentes me in perpetuam elemosinam dedisse et concessisse Deo et ecclesiae Sanctae Mariae de Coldingham illam piscaturam quam Swain meus [presbyter] fecit et a saxis liberavit quando Fiswic

tenuit libere et quiete sine omni vexatione ad tenendam de me et de heredibus meis sicut tenent alias elemosinas ad eandem ecclesiam pertinentes melius et liberius. T.

CVII.

Notitia of a grant by Colbain, Mormaer of Buchan, and Eva his wife and Donnachac Toisech, exempting a church from secular burdens, circa, A.D. 1135.

Translated from the Gaelic in the Book of Deer.

COLBAIN Mormaer of Buchan, and Eva, daughter of Garnait, his wedded wife, and Donnachac, son of Sithig, toisech of Clan Morguinn, dedicated all the offerings to God and to Drostan and to Columcille and to Peter the apostle, free from all the burthens, for a share of four davochs of what would come on the chief residences of Alban generally and on chief churches.

Testibus his, Brocein and Cormac Abbot of Turbruaid and Morgann son of Donchad, and Gille-Petair son of Donnchad, and Malaechin and the two sons of Matne and (the) nobles of Buchan, all in witness hereof in Elan.

CVIII.

Charter by King David to the church of Dunfermlin of a fishing in the Tweed and of a toft in Berwick, circa A.D. 1136.

Registr. de Dunfermelyn, No. 10.

DAVID Dei gratia Rex Scottorum, Omnibus probis hominibus suis salutem.

Sciatis me concessisse et dedisse in elemosinam in perpetuum ecclesiae Sanctae Trinitatis de Dunfermelyn

tractum de Aldestelle et omne quod juste ei pertinet et unum toftum in Berwich solum et quietum de omnibus servitiis.

Testibus Henrico filio meo hoc idem concedente, et Herberto cancellario, et Roberto de Unfravilla, et Hugone Bret, Roberto Frebern, et Hidda, et Willelmo de Lambertun. Apud Berwich.

CIX.

Charter by King David granting Perdeyc to the church of Glasgow, circa A.D. 1136.

Registr. Episcop. Glasguensis, No. 3.

DAVID Rex Scotiae, Baronibus ministris et omnibus fidelibus suis clericis et laicis totius regni salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sancti Kentigerni de Glasgu terram illam in Perdeyc in perpetuam elemosinam, pro anima mea et patris et matris meae et fratrum et sororum mearum et salute Henrici filii mei et omnium antecessorum et successorum meorum, quam Ascelinus ejusdem ecclesiae archidiaconus de me tenebat in nemore et plano, aquis et piscinis, pratis et pascuis, et in omnibus aliis locis; per rectas divisas sicut Ailsi et Tocca eas tenebant die quo praedicta terra fuit in meo dominio, ita quod archidiaconus faciat Deo et Sancto Kentigerno de Glasgu, quam modo mihi facere solebat, scilicet annuatim unam marcam argenti pro omnibus servitiis et consuetudinibus quam diu vixerit. Post decessum vero archidiaconi remaneat praedicta terra ecclesiae deservienda, ita libera et soluta et quieta sicut melius et liberius tenet suas alias terras et elemosinas . . . eisdem libertatibus.

Praesentibus testibus Herberto Abbate de Rochesburc, Willelmo cancellario, Willelmo filio Dunecan, Malis Comite, Dunecano Comite, Fergus de Galweia, Aad

cum barba, Malduueni mac murdac, Malodeni de Scona, Malodeni marescal, Radulfo filio Dunegal, Duunenald fratre ejus, Uchtred filio Fergus, Hugone Britone, Herberto camerario, Gileberto fimboga, Gileberto de Striuelin, Dufoter de Calateria. Apud Glasgu.

CX.

Charter by King David to the monks of Urquhart in Moray of twenty shillings annually from the rent of the burgh and fishings of Elgin, circa A.D. 1136.

Registr. de Dunfermelyn, No. 34.

DAVID Rex Scottorum, Episcopis abbatibus comitibus baronibus vicecomitibus praepositis et omnibus probis hominibus totius Muref et Scotiae salutem.

Sciatis me in perpetuum dedisse Deo et monachis de Urchard ibi Deo famulantibus dum devote et religiose se continuerint XX solidos, singulis annis ad vestimenta eorum de firma burgi mei et aquarum de Elgin. Quare praecipio quod praepositus ejusdem burgi eis illos denarios sine omni disturbatione faciat habere.

Testibus Herberto camerario et Alwino filio Archil. Apud Banef.

CXI.

Charter by King David granting a toft at Ednam to the church of St. Cuthbert, at Coldingham, circa A.D. 1136.

The original is in the Treasury at Durham.

DAVID Rex Scotiae, Comitibus justiciariis baronibus vicecomitibus praepositis ministris *et omnibus* probis hominibus suis Francis et Anglicis totius terrae suae tam futuris quam praesentibus salutem.

Sciatis me concessisse Deo et Sancto Cuthberto *de Dun'l et monachis* de Coldhinheham unum thoft cum domibus *in villa de Edenham* quod Gillebertus presbyter de Stitchel de me *tenuit reddendo inde* mihi unoquoque anno ij solidos et per hoc servitium libere ab *omni* alio servitio.

Concedo etiam eis praedictam terram ita de me tenere in feudo et in elemosinam. Praesentibus testibus, Hugone de Moruille et Roberto filio Widone, et Sweing presbitero de Fihswic. Apud Rochesburg.

CXII.

Confirmation by Earl Henry of the rights of the monks of Daventry, circa A.D. 1136.

Regist. Prior. Daventre.

HENRICUS filius Regis Scotiae, Omnibus baronibus suis et amicis Francis et Anglis salutem. Sciatis me concessisse monachis de Dauentre quicquid tenent de meo feudo in terris et in decimis et in aliis rebus omnibus scilicet in elemosina et Willelmo canonico concedo tenere de feudo meo sicut unquam melius et honorabilius tenuit quicquid suae praebendae pertinet. Testibus R. de Brus et R. de Umfranvile et Willelmo capellano. Apud Huntindon.

CXIII.

Charter by Earl Henry granting to the church of St. Neots twenty shillings annually from his mill of Huntingdon, and confirming his mother's grant of the church of Enesburc, circa A.D. 1136.

Registr. St. Neot.

H[ENRICUS] comes filius Regis Scotiae, Omnibus hominibus suis salutem. Sciatis me dedisse et concessisse Deo et ecclesiae Sancti Neoti et monachis qui Deo ibidem serviunt

ad sustentationem illorum XX. solidos singulis annis habendos de molendino meo Hontondon in perpetuam elemosinam et praeterea hac carta mea confirmavi illis pro salute mea et antecessorum meorum heredumque meorum ecclesiam de Enesburc cum omnibus pertinentiis ejusdem ecclesiae in liberam et puram elemosinam habendam quam mater mea eisdem monachis concesserat. Testibus his.

CXIV.

Confirmation by Earl Henry of a grant of forty shillings from the rent of Huntingdon to the monks of St. Andrew at Northampton, circa A.D. 1136.

Regist. Prior. S. Andreae de Northampton.

HENRICUS comes filius Regis Scotiae, Roberto Folio dapifero suo omnibusque probis hominibus suis de Huntyngdon salutem. Mando vobis et praecipio quod faciatis habere monachis Sancti Andreae de Northampton XL. solidos de firma Huntyndon unoquoque anno ad statutos terminos propter elemosinam matris meae quam habuerunt in Bedeford et quam dedi jam Hugoni de Bror donec excambium eiusdem elemosinae eis dedero ad valentiam in convenienti loco. Testibus Herberto camerario, Roberto de Nigell. Apud Chingor.

CXV.

Confirmation by Earl Henry of the rights of the church of St. Andrew at Northampton, circa A.D. 1136.

Regist. Prior. S. Andreae de Northampton.

HENRICUS filius Regis Scotiae omnibus suis hominibus fidelibus et amicis totius Angliae salutem. Volo ut bene

sciatis omnes me concessisse monachis Sanctae Mariae de Caritate apud Northampton in ecclesia Sancti Andreae apostoli servientibus, omnia quaecunque tenebant sive de me sive de meis hominibus et ut ea omnia quiete et honorifice teneant. Et praecipio omnibus meis hominibus et praecipue dapifero meo ut eos iuste manuteneatis. Et si quis de meis hominibus eis injuriam facere praesumpserit plenum rectum eis habere faciatis. Testibus Willelmo cancellario, Roberto Foliotte, Eustachio filio Johannis et Roberto de Brus.

CXVI.

Charter by King David to the Church and Bishop of Aberdeen, A.D. 1137.

Registr. Epis. Aberdon.

DAVID Dei gratia Rex Scottorum, Omnibus probis hominibus totius terrae suae clericis et laicis salutem.

Sciant praesentes et futuri me dedisse concessisse et hac carta mea confirmasse Deo et Beatae Mariae et Beato Machorio et Nectano Episcopo Abbirdonensi totam villam de Veteri Abbirdon, dimidiam aquam de North, Sclaty, Goul, Murcroft, Kynmondy, Malmeulach et ecclesiam de Kyrkton, Schiram de Clat, Schiram de Tulinestyn, Schiram de Rane, Schiram de Dauyot, cum pertinentiis earundem et ecclesiis, decimam canum navium quae veniunt apud Aberden, decimam annonae in eodem loco, decimam meam de redditibus de Aberden, decimam thanagiorum, reddituum et escaetarum me contingentium infra vicecomitatus de Aberden et de Banff: Tenendas et habendas dicto episcopo Nectano et ejus successoribus in puram et liberam elemosinam ita libere sicut aliqua elemosina in regno meo tenetur.

Teste meipso apud Forfar, anno regni mei decimo tertio, tricesimo die mensis Junii.

CXVII.

Charter by Earl Gospatric of Ederham and Nesbit to the monks of St. Cuthbert, ante A.D. 1138.

The original is in the Treasury at Durham.

OMNIBUS sanctae ecclesiae Dei filiis sublimioribus et inferioribus ordinatis et laicis Gospatricus comes frater Dolfini salutem.

Sciatis me concessisse et dedisse Deo et Sancto Cuthberto et monachis ejus in elemosinam villam de Ederham et ecclesiam ejusdem villae cum omnibus capellis suis et aliam villam quae dicitur Nesebite liberas et quietas in perpetuum possidendas cum omnibus quae ad easdem villas pertinent in terris et aquis et pratis et pascuis pro anima Malcolmi Regis et filiorum ejus regum Ædgari, Alexandri et pro Rege David et filio ejus Henrico et pro me ipso et uxore mea et filiis meis et pro animabus omnium parentum meorum et si aliquis huic elemosinae meae vult contradicere inter eum et Deum sit.

Testibus Willelmo filio Duncani, Gospatrico filio ejus, Vlkil filio Meld', Rand. de Lindesai, S. presbitero, Johanne capellano, Gosp' filio Crin, et Aldan fratre ejus, et Lamberton dapifero.

Valete. Quicunque huic abstulerit Dominus sibi et hanc vitam et regnum coelorum auferat.

CXVIII.

Charter by King David granting the church of Linlithgow to the church of St. Andrews, circa A.D. 1138.

Registr. Prior. S. Andreae.

DAVID Dei gratia Rex Scottorum, Episcopis abbatibus, comitibus, baronibus et omnibus probis hominibus totius regni sui salutem.

Sciant tam futuri quam praesentes me dedisse et concessisse et hac mea carta confirmasse Deo et Sancto Andreae apostolo perpetuo in elemosinam, ecclesiam de Linlidcu cum capellis et terris infra burgum et extra burgum et cum omnibus aliis rectitudinibus eidem ecclesiae pertinentibus ad luminare ipsius ecclesiae et ad vestitum canonicorum ibidem Deo servientibus.

Volo itaque et firmiter praecipio ut canonici et ecclesiae Sancti Andreae Deo servientes et servituri, ita libere et quiete et honorifice hanc habeant ecclesiam in elemosinam et possideant sicut aliqua ecclesia melius et quietius et honorificentius habetur et possidetur in toto regno meo pro salute mea et filii mei et pro animabus antecessorum et successorum meorum.

Testibus Willelmo cancellario, Hugone de Moreuilla, Herberto camerario. Apud Kynros.

CXIX.

Charter of Protection to Priory of Tinmouth, A.D. 1138.

3 Dugdale Mon., 313. Ex Registro quodam S. Albani in Bibl. Cottoniana, fol. 108.

David Rex Scottorum, Episcopis abbatibus comitibus vicecomitibus baronibus et omnibus probis hominibus suis totius terrae suae Francis et Anglis et Scotis et Galwensibus salutem.

Sciatis me concessisse et dedisse ecclesiae Sanctae Mariae et Sancti Oswini martyris de Tynmutha et fratribus ejusdem loci et dominicis hominibus et rebus ad praedictam ecclesiam pertinentibus et omnibus illis hominibus qui in pace Sanctae Mariae et sancti ejusdem loci in die Sancti Barnabae Apostoli in millesimo centesimo et trigesimo octavo anno ab incarnatione Domini fuerunt, meam pacem

in perpetuum de me et omnibus hominibus meis pro anima patris et matris meae et regis Alexandri fratris mei qui pacem Dei et suam firmiter praedictae ecclesiae concessit et pro anima Matildae reginae Angliae sororis meae et animabus antecessorum et successorum meorum Henrico filio meo hanc pacem annuente.

Ideo volo et firmiter praecipio ut hanc pacem firmiter possideant et vos eandem eis teneatis, quamdiu ipsi nobis et hominibus nostris pacem tenere voluerint et prohibeo quod nullus eis aut hominibus vel rebus suis super nostram firmam defensionem injuriam vel contumeliam aut vim ullo modo facere praesumat. Et quicunque hanc pacem tenere noluerit sicut ego concedo confirmante de me et Henrico filio meo et nostra familiaritate et nostra amicitia sit omnino alienatus.

Praesentibus testibus Gospatrico comite, Hugone de Morevill, et Mansero Marmiun, et Roberto Foliot, et Hugone de Auco, et Hugone Briton. Apud sedem de Norham in Junio.

CXX.

Mandate by King David to the Sheriff of Roxburgh to hold the lands which Gospatric of Dunbar gave to the monks of Durham.

A.D. 1139.

The original is in the Treasury at Durham.

. . . Scot. G. Ridell̃ vic de Rokesburg salutem.

Praecipio . . . terra monachorum Dunelm. quam Gospatric de Dunbar dedit . . . decessu ponatur in respectum donec in illam venero provinciam . . . de monachis nec de Gospatrico aliquam operationem nec seruit. . . . monachi teneant illam terram bene et in pace quiete . . . et non permittas quod aliquis eis inde injuriam . . . c̃ meum dominium faceres t. Hug de . . .

CXXI.

Confirmation by King David of the grant by Gospatrick of Ederham and Nesbit to Coldingham, A.D. 1139.

The original is in the Treasury at Durham.

DAVID Dei gratia Rex Scotiae, Omnibus sanctae ecclesiae fidelibus praesentibus et futuris salutem.

Sciatis me dedisse et concessisse ecclesiae Sanctae Mariae et Sancti Cuthberti de Coldingham et monachis ibidem deservientibus Ederham et Nesebitam in perpetuam elemosinam sicut Gospatricus frater Dolfini eas tenuit die qua fuit vivus et mortuus cum suis rectis divisis ita liberas et quietas sicut alias terras tenent quae ad Coldingham pertinent et sicut carta eorum testatur in ecclesiis et aquis et pratis et pascuis et molendinis et omnibus aliis locis.

Praesentibus testibus Hereberto Abbate de Rochesb., Daniele priore de Geddewrda, Aschelino archidiacono de Glasgu, Willelmo filio Dunecan, Dunecano Comite, Hugone de Moreuill, Gervasio Ridell, Alano filio Waldeof et Gospatrico fratre suo, Willelmo de Sumervill, Willelmo de Graham. Apud Rochesb. XVIJ Kl. Sep. anno MC.XXXIX.

CXXII.

Charter by King David to the church of St. Andrews of the church of St. Mary at Haddington, circa A.D. 1139.

Registr. Prior. S. Andreae.

DAVID Dei gratia Rex Scottorum, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus et omnibus

fidelibus sanctae Dei ecclesiae et omnibus probis hominibus suis Francis et Anglicis tam futuris quam praesentibus totius terrae suae salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sancti Andreae de Chilrimunt ecclesiam Sanctae Mariae de Hadintune in perpetuam elemosinam pro anima mea et filii mei et pro animabus antecessorum et successorum meorum cum capellis et terris et rectitudinibus et consuetudinibus tam in decimis quam in aliis elemosinis quae Deo et sanctae praedictae ecclesiae pertinent videlicet de tota Hadintunschira ad tenendam ita libere et quiete de omnibus rectitudinibus de me et Theino et de omnibus aliis qui Hadintune tenuerint de me et heredibus meis post me et heredibus eorum sicut aliqua elemosina in tota terra mea melius et plenius et liberius potest dari et teneri. Praesentibus Roberto episcopo Sancti Andreae, Johanne episcopo de Glescu, et Galfrido abbate Dunfermelyn, et Nicholao priore de Scon, et Dionisio canonico de Scon, Willelmo Cumino cancellario, et Hugone de Moreuilla, et Willo. de Sumervilla. Apud Hadintune.

CXXIII.

Charter by King David granting a mark of silver annually to the monastery of Wetheral, circa A.D. 1139.

Dugdale Monasticon, III., p. 584. (Ex autographo nuper in Turri B. Mariae Eboraci.)

DAVID Rex Scotiae, Comitibus, justitiariis, baronibus, vicecomitibus, ministris, omnibus probis hominibus suis totius Cumberlandiae, Francis et Anglis et Cumbrensibus salutem. Sciatis me dedisse et concessisse in elemosinam Deo et Sanctae Mariae de Wederhal et monachis ibidem Deo servientibus unam marcam argenti per annum de

redditu molendini mei de Scotebi. Volo itaque et firmiter ministris meis praecipio quatenus marcam istam, dictis monachis sine disturbatione habere faciant ad terminos de firma molendini statutos. Praecipio etiam ut habeant decimam villae de Scotebi, sicut ab antiquo data eis fuit, ita ne aliquis eis illam injuste detineat.

Testibus Eustachio filio Johannis, Hugone de Morevill, Radulfo, . . . Herberto camerario, Jordano clerico. Apud Carliolum.

CXXIV.

Charter by Earl Henry granting freedom from toll to the monks of Wetheral, circa A.D. 1139.

Dugdale's Monasticon, III., p. 584. (Ex autographo in Turri B. Mariae Eboraci.)

HENRICUS comes, filius regis Scotiae, Justitiae suae, baronibus, vicecomitibus, ministris et omnibus probis hominibus suis salutem. Sciatis me dedisse monachis de Wederhal, suum tolneum de suis propriis rebus per totam terram meam. Quare prohibeo ut nullus vestrum illos inde injuste disturbet, nec de suis propriis rebus tolneum ab eis exigat.

Testibus Gileberto de Umfravill et Willelmo de Herziz, Apud Carl.

CXXV.

Charter by King David granting to the church of St. Kentigern at Glasgow the tithe of his can of beasts and pigs from Strathgryfe, Cuningham, Kyle, and Carrick, circa A.D. 1139-1141.

Registr. Episcop. Glasguens., No. 9.

DAVID Dei gratia Rex Scottorum, Baronibus ministris et omnibus fidelibus suis totius regni sui tam Gawensibus quam Anglicis et Scotis salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sancti Kentigerni de Glasgu in perpetuam elemosinam totam decimam meam de meo chan, in animalibus et porcis de Stratgriua et Cunegan et de Chul et de Karric unoquoque anno nisi tunc quum ego ipse illuc venero perendinens et ibidem meum chan comedens.

Testibus Willelmo Cumin cancellario, Hugone de Moreuilla, Fergus de Galweia, Hugone Britone, Waltero filio Alani, Alwino Mac Archil, Radulfo filio Dunegal. Dunenald fratre suo. Apud Cadihou.

CXXVI.

Charter by King David to the church of Glasgow of the eighth penny of his pleas in Cumbria, circa A.D. 1139-1141.

Registr. Episc. Glasguen., No. 10.

DAVID Dei gratia Rex Scottorum, Justitiae suae, vicecomitibus baronibus et omnibus ministris suis totius Cumberlandiae salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sancti Kentigerni de Glasgu, octavum denarium de omnibus placitis meis per totam Cumbriam quae ibi placitabantur aut in denariis aut pecunia. Volo itaque et firmiter praecipio ut praedicta ecclesia hanc suam partem ita libere et quiete et honorifice teneat in perpetuum, sicut elemosina liberius et quietius potest dari et teneri.

Testibus Willelmo Cumino, cancellario, Fergus de Galweia, Hugone Britone, Waltero filio Alani, Radulfo filio Dunegal, Duuenald fratre suo, Alwino Mac Archil. Apud Cadihou.

CXXVII.

Mandate by King David to the Sheriff of Stirling to give a saltpan to the Abbot of Dunfermlin circa A.D. 1140.

Registr. de Dunfermelyn, No. 9.

DAVID Rex Scottorum, Gilleberto vicecomiti de Struelin salutem.

Praecipio quod abbas de Dunfermelin habeat unam salinam cum meis salinis ita solam et quietam sicut meae salinae sunt. Praecipio et quod homines sui ibi operantes meam firmam pacem habeant.

Testibus Duncano Comite et Maddoc Comite, et Herberto camerario. Apud Struelin.

CXXVIII.

Charter by King David granting Petheneach to the church of Dunfermlin, circa A.D. 1140.

Registr. de Dunfermelyn, No. 22.

DAVID Rex Scottorum, Episcopis comitibus baronibus vicecomitibus ministris et omnibus fidelibus suis totius regni Scotiae salutem.

Sciatis me dedisse et concessisse ecclesiae Sanctae Trinitatis de Dunfermelyn terram de Petheneach in perpetuam elemosinam cum omnibus appendiciis et rectis divisis suis et libertatibus ad eandem terram pertinentibus in aquis et pratis et pascuis et in plano et nemore absque omni venatu ita liberam et quietam tenere sicut melius et liberius et honorificentius suas alias terras tenet et habet et cum omnis illis libertatibus.

Prohibeo et quod nullus super meum forisfactum aliquod namum in praedicta terra ullo modo capere praesumat pro

alterius extrinsecus forisfacto. Et homines et terra et omnes res eorum juste meam pacem habeant.

Testibus Hugone de Moreuille, Gervasio Ridel, Edwardo constabulario, Alwyn Mac Archil, et Malisio marescall. Apud Dunfermelyn in Februar.

CXXIX.

Protection by Earl Henry of the possessions of the monks of Durham, circa A.D. 1140.

The original is in the Treasury at Durham.

HENRICUS Comes filius Regis Scotiae, Justitiis baronibus vicecomitibus praepositis ministris et omnibus probis hominibus suis totius comitatus sui Norhumberlandiae Francis et Anglicis salutem.

Sciatis quod terrae et possessiones monachorum Dunelmie sunt in mea pace et in custodia mea propterea mando et praecipio firmiter omnibus officialibus meis quatenus manuteneant homines eorum et res suas et prohibeo ne quis eis injuste forisfaciat super meum plenarium forisfactum.

Testibus Engelramo cancellario et Gilleberto de Unfranuill. Apud Novum Castellum.

CXXX.

Mandate by Earl Henry to Earl Gospatric to respect the rights of the monks to the lands of Ederham and Nesbit, circa A.D. 1141.

The original is in the Treasury at Durham.

HENRICUS filius regis Scotiae, Gospatrico comiti salutem.

Mando et firmiter praecipio quatenus permittas terram de elemosina patris tui videlicet de Hederham et Nesebitam ita esse liberam et quietam et in bene et in pace sicuti in anno praeterito coram patre meo et Roberto de Brus et aliis suis baronibus proloqutum et finitum fuit, donec rex pater meus reveniat et reddere facias boves eorum cito per plegios.

Testibus Roberto de Unfranvilla et Ada vicecomite.

CXXXI.

Charter by Earl Henry granting to the monks of St. Cuthbert a fishing in the Tyne and a ploughgate of land, circa A.D. 1141.

The original is in the Treasury at Durham.

HENRICUS filius Regis Scotiae, Justitiis vicecomitibus baronibus et omnibus hominibus suis de Norhumberland Francis et Anglis salutem.

Sciatis me rogatu Nikole dedisse et concessisse Deo et Sancto Cuthberto et monachis ejus in elemosinam unam piscariam in Tine scilicet Bradjere quam idem Nikole tenuit de me cum Croc quae ad eam pertinet liberam et quietam ab omni servitio. Praeterea dedi eis et concessi illam carrucatam terrae in Cranlintune quae idem Nikole eis dedit cum tribus toftis et insuper XXX acras de Mora quindecim ex una parte villae et XV ex alia cum pratis quantum ad ipsam totam terram pertinet et unumquoque croft de prato separatim quod circuit una fossa antiquiter facta. Et volo et praecipio ut Sanctus Cuthbertus et monachi ejus haec omnia quae pro salute mea et patris mei concessi in terris et aquis et pratis et pascuis et omnibus rebus ad ea pertinentibus libere et quiete in perpetuum teneant et possideant.

Testibus Rann' archidiacono, Jordano capellano, Rodberto de Unfranivilla, Gileberto de Unfranivilla, Hereberto camerario, Willelmo de Sumerivilla, Ada' vicecomite.

CXXXII.

Mandate by King David to Reinwald Earl of Orkney, to protect the monks of Durnach in Caithness, A.D. 1140-1145.

Registr. de Dunfermelyn, No. 23.

DAVID Rex Scottorum, Reinwaldo comiti de Orchadia et comiti et omnibus probis hominibus Cateneis et Orchadiae salutem.

Mando vobis et praecipio quod sicut me diligitis monachos et homines eorum et res habitantes ad Durnach in Cateneis diligatis et ubicunque inter vos venerint manuteneatis, non permittendo quod aliquis eis injuriam vel contumeliam faciat nec fieri permittat.

Testibus . . . cancellario et Herberto camerario. Apud Abernithi.

CXXXIII.

Confirmation by Earl Henry of the grant of Ederham and Nesbit by Gospatrick to the monks of St. Cuthbert at Coldingham, circa A.D. 1141.

The original is in the Treasury at Durham.

HENRICUS Dei gratia Comes filius David regis Scottorum, Omnibus sanctae ecclesiae fidelibus praesentibus et futuris salutem.

Sciatis me dedisse et concessisse ecclesiae Sanctae Mariae et Sancti Cuthberti de Coldingaham et monachis ibidem deservientibus, Ederham et Nesbitam, in perpetuam

elemosinam sicut Gospatricus frater Dolfini eas tenuit die qua fuit vivus et mortuus cum suis rectis divisis ita liberas et quietas sicut alias terras tenent quae ad Coldingaham pertinent in ecclesiis et aquis et pratis.

Testibus Willelmo cancellario apud Dunelmum et Eustachio filio Johannis et Walter de Bolebec et Rodbert Foliot et Gilebert de Unfranvilla et aliis . . . pluribus et Hugo le bret.

CXXXIV.

Charter by King David granting Clerchetune to the church of St. Mary of Haddington, circa A.D. 1141.

Registr. Prior. S. Andreae.

DAVID Dei gratia Rex Scottorum, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus praepositis ministris et omnibus fidelibus suis Francis et Anglicis clericis et laicis, tam futuris quam praesentibus totius terrae suae salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sanctae Mariae de Hadintune, Clerchetune in perpetuam elemosinam cum suis rectis divisis ex utraque parte aquae, sicut Willelmus de Graham et Durandus vicecomes et Ricardus et Osbertus prior de Edeneb. et Malbet de Libertune et Gillandris filius Oggu et Gille. filius Mercheh, et Ulfchil filius Merewin et Sewale miles periverunt et circuierunt postquam Toraldus archidiaconus mecum finivit apud Pebbles et etiam sicut antea mensurata fuit.

Concedo etiam praedictae ecclesiae unum plenarium toftum juxta ecclesiam in villa de Hadintune et omnes decimas et rectitudines ecclesiasticas de tota Hadintunshire tam de molendinis quam de aliis rebus.

Volo itaque et firmiter praecipio quod praedicta ecclesia teneat et habeat praenominatam terram Clerchetunte solam

et quietam de me et de Theino et de omnibus aliis qui terram praedictam tenuerint de Hadintune de me et de heredibus meis et etiam de heredibus eorum et etiam omnes alias rectitudines et consuetudines. In decimis et elemosinis ita libere et honorifice et quiete et plenarie sicut aliqua elemosina in tota terra mea melius et plenius et honorificentius et quietius potest dari et concedi. Has autem omnes praenominatas elemosinas do et carta mea confirmo pro anima mea et patris matrisque meae et animabus antecessorum et successorum meorum.

Annuente et concedente hoc Henrico filio meo et hoc idem testante Roberto Episcopo Sci. Andreae, Johanne Episcopo de Glescu, Gregorio Episcopo de Duncheldin, Galfrido Abbate de Dunfermlin, Dionisio priore de Scone, Rogero priore de Dunfermelin, Roberto de Sigillo et Duncano Comite, Hug. de Moreuill, Malise Comite, Eward cunestabl. et Leod de Brechin et Ranulfo de Sules et Rogero nepote episcopi Rodberti Sancti Andreae. Apud Pert XVIII Kalen. Julii.

CXXXV.

Charter by Earl Henry granting Clerchetune to the church of St. Mary of Haddington, circa A.D. 1141.

Registr. Prior. S. Andreae.

HENRICUS Comes filius Regis Scottorum, Episcopis abbatibus justitiis baronibus vicecomitibus ministris et omnibus fidelibus suis Francis et Anglicis clericis et laicis tam futuris quam praesentibus totius terrae suae salutem.

Sciatis me concessisse Deo et ecclesiae Sanctae Mariae de Hadintune, Clerchetune in perpetuam elemosinam cum suis rectis divisis ex utraque parte aquae sicut Willelmus

de Graham et Durandus vicecomes et Richardus clericus et Osbertus prior de Edeneburc et Malbeth de Libertona, et Gillandres filius Oggu periverunt et circuierunt postquam Thorandus archdiaconus mecum finivit apud Pebles et sicut antea mensurata fuit.

Concedo etiam praedictae ecclesiae unum plenarium toftum juxta ecclesiam in villa de Hadintona et omnes decimas et rectitudines ecclesiasticas de tota Hadinton scira tam de molendinis quam de aliis rebus.

Volo itaque et firmiter praecipio quod praedicta ecclesia teneat et habeat praenominatam terram Clerchetune solam et quietam de me et de Thein et de omnibus aliis qui terram praedictam de Hadintune de me et heredibus meis et de heredibus eorum et omnes alias rectitudines et consuetudines in decimis et elemosinis ita libere et honorifice et quiete et plenarie sicut aliqua elemosina in tota terra melius et plenius et honorificentius et quietius potest dari et concedi. Has autem praenominatas elemosinas do et carta mea confirmo pro anima mea et patris matrisque meae et animabus antecessorum et successorum meorum.

Testibus Engellramo cancellario nostro et Willelmo Masculo et Edmundo filio Einier et Anselmo nepote Johannis Episcopi. Apud Hadintonam.

CXXXVI.

Grant by King David to the Abbey of Tiron, circa A.D. 1141.

Cart. de Tiron, fol. 49.

D[AVID] Dei gratia, Rex Scotorum, Episcopis abbatibus et omnibus praesentibus regni sui totius et portuum maris salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sanctae Trinitatis de Tirone pro salute animae meae et antecessorum meorum, unam navem, singulis annis, quietam

de Can, ubicumque venerit vel applicaverit in tota terra mea et omnes homines ejusdem navis cum mercatis suis sint quieti de Cano si voluerint piscari an non.

Volo itaque et firmiter praecipio quod praedicta navis et homines qui in ea fuerint juste habeant meam firmam pacem vendendi et emendi et mercata sua faciendi ubicunque venerint vel applicaverint in tota terra mea, et hoc petitione Johannis Glasguensis episcopi.

Testibus eodem et Roberto de Sigillo, Randulfo de Sules, Alfwin filio Archillis, Roberto Burgunno, Roberto Avenellensi, Edwardo, Roberto de Pert, Dunecano comite, Rogerio nepote episcopi Sancti Andreae. Apud Cluni.

CXXXVII.

Grant by Earl Henry to the Abbey of Tiron, circa A.D. 1141.

Cart. de Tiron, fo. 48.

H[enricus] filius regis Scotiae at comes Northumbriae, Episcopis abbatibus comitibus justiciariis baronibus praepositis, ministris et omnibus fidelibus suis clericis et laicis, Francis, et Anglicis et Scottis tam futuris quam praesentibus totius regni patris sui et portuum maris, et omnibus probis hominibus totius comitatus Northumbriae salutem.

Sciatis me concessisse et confirmasse Deo et ecclesiae Sanctae Trinitatis de Tyrone, pro salute animae meae et antecessorum et successorum meorum, donum patris mei, scilicet unam navem singulis annis quietam de Can, ubicumque venerit vel applicaverit in tota terra patris mei.

Volo itaque et firmiter praecipio quod praedicta navis et homines qui in ea fuerint juste habeant meam firmam pacem vendendi et emendi et mercata sua faciendi, ubicumque venerint vel applicaverint in tota terra patris

mei et omnes homines ejusdem navis cum mercatis suis sint quieti ubique per terram patris mei de Cano, si voluerint piscari an non. Hoc idem vero sciatis me dedisse et concessisse illis ubicunque praedicta navis venerit vel applicaverit in tota terra mea de Northumbria, et hoc petitione Johannis Glasguensis episcopi.

Testibus eodem, Ada comitissa, Hugone de Moreville, Roberto de Umfranvilla, et Gilleberto de Umfranvilla, Gervasio Ridel, Guilfelmo de Sumervilla, Normano vicecomite, Hugone de Broi, Gullielmo Masculo, Engerano clerico, Ricardo capellano. Apud Jeddewrde.

CXXXVIII.

Charter by King David to the monks of Shrewsbury of their moiety of Bispham and their other possessions within the Honor of Lancaster, circa A.D. 1141.

Register of Shrewsbury Abbey, No. 322.

David Rex Scottorum, Justitiariis baronibus vicecomitibus et omnibus fidelibus suis totius Honoris Lancastriae salutem.

Sciatis quod volo et firmiter praecipio quod monachi fratres nostri ecclesiae Sancti Petri de Salopesberia teneant et habeant medietatem terrae Biscopham et omnes alias elemosinas quas in honore Lancastriae habent ita bene et plenarie sicut in tempore aliquorum antecessorum meorum melius et plenius habuerunt et tenuerunt.

Praecipio etiam si quid inde captum est quod cito eis reddatur et omnes homines eorum in eadem terra manentes juste habeant meam firmam pacem, ita quod aliquis eis injuriam vel contumeliam non faciat.

Testibus Hugone de Morevill et Henrico filio Sweni. Apud Chulch. . . .

CXXXIX.

Charter by King David to the monks of Shrewsbury of the church of Kirkham and land of Bispham, circa A.D. 1141.

Register of Shrewsbury Abbey, No. 87.

DAVID Rex Scottorum, Justitiariis baronibus vicecomitibus et omnibus probis hominibus suis totius Honoris Lancastriae salutem.

Praecipio quod abbas et monachi de Salop. teneant et habeant ecclesiam de Chircheham cum omnibus decimis et elemosinis ad illam juste pertinentibus et terram de Biscopham ita bene et plenarie sicut melius et plenius tenuerunt in tempore antecessorum meorum.

Praecipio etiam quod omnes homines eorum illuc in negotiis eorum venientes et homines eorum qui in his praenominatis terris manserint, juste meam firmam pacem habeant et prohibeo super forisfactum ne aliquis eis injuriam vel contumeliam faciat.

Testibus Jordano cancellario, Herberto camerario. Apud Novum Castellum de Culchet.

CXL.

Confirmation by King David of the grant of Wetheral to the church of St. Mary at York, by Adam the son of Swain, circa A.D. 1141.

Dugdale's Monasticon, III., p. 595.

DAVID Rex Scottorum, Baronibus, vicecomitibus, et omnibus probis hominibus suis totius Cumberlandiae et Westmorlandiae Francis et Anglis salutem.

Sciatis me concessisse et carta mea confirmasse terram

et locum quem Adam filius Suani donavit in perpetuam elemosinam Deo et beatae Mariae de Eboraco, et monachis fratribus nostris ejusdem loci et de Wederhal. Et volo et firmiter praecipio quod fratres et ministri et omnia sua sint in mea firma pace et manutentia qui in praedicto loco et terra habitaverint. Et prohibeo super meam plenariam defensionem quod nullus eis nec alicui eorum quicquam forisfaciat nec facere permittat.

Testibus episcopo Johanne et Jordano cancellario et Herberto camerario. Apud Karliolum.

CXLI.

Charter by King David to the Abbey of Melros, circa A.D. 1143-1144.

Munimenta de Melros, No. 1.

DAVID Dei gratia Rex Scottorum, Episcopis abbatibus comitibus baronibus et probis hominibus suis et omnibus fidelibus suis totius regni sui Francis et Anglicis et Scottis et Galwensibus salutem.

Sciatis me pro anima mea et animabus patris et matris meae et fratris Ædgari et aliorum fratrum et sororum mearum et uxoris meae Matildis et etiam pro anima Henrici filii mei et heredis et antecessorum et successorum meorum concessisse et dedisse Deo et Sanctae Mariae de Melros et monachis ibidem Deo servientibus de Rieuall, annuente et concedente Henrico filio meo et herede et per cartam suam confirmante, in perpetuam elemosinam.

Totam scilicet terram de Melros et totam terram de Eldune et totam terram de Dernewic per terminos et rectas divisas suas in bosco et plano et pratis et aquis in pasturis et moris in viis et semitis et in omnibus aliis rebus liberas et quietas et solutas ab omni terreno servitio et exactione seculari perpetuo tenore possidere

insuper autem sciatis me dedisse praedictis monachis et hac mea carta confirmasse in terra mea et in forestis meis scilicet de Seleschirche et de Trauequair omnia aisiamenta sua pasturam scilicet ad averia sua et ligna et materiem et pasnagium ubique ad suos proprios usus sicut ego ipse melius habeo ad opus meum et nominatim inter Galche et Leder. Praeterea in aquis de Thveda infra terminos eorum piscaturam tam ex mea parte fluminis quam ex eorum parte ubique.

Praeter vero omnia supradicta dedi et confirmavi eis ad incrementum Galtuneschalech et totam terram et boscum de Galtunesside, sicut ego ipse et Henricus filius meus et Abbas Ricardus ejusdem ecclesiae perivimus et circuivimus die Veneris crastino ascensionis Domini anno scilicet secundo quo Stephanus Rex Angliae captus est.

Testibus ad hoc praesens donum Johanne episcopo, Willelmo nepote regis, Hugone de Moreuille, Willelmo de Sumerville, Henrico filio Swain, Geruasio Ridel.

Volo itaque ut ipsi omnes has praedictas terras et res suas ita libere et quiete teneant et possideant sicut aliqua elemosina liberius et quietius, perpetuo tenore teneri potest et possideri.

Testibus Henrico filio meo, Johanne episcopo, Willelmo nepote meo, Willelmo cancellario, Madd. comite, Roberto de Humframville, Hugone de Moreuille, Waltero filio Alani, Hugone Briton, Osberto de Ardene, Geruasio Ridel, Willelmo de Sumerville, Ricardo Gernun, Ricardo Anglico, Willelmo de Lindesai, Ascelino archidiacono, Jordano clerico, Estmundo elemosinario.

Praeterea homines de eadem terra, Gospatrico comite, Ulfchillo filio Ethelstan, Osolfo filio Huctredi, Maccus filius Undwain, Huctredo filio Sioth, Huctredo filio Gospatric, Orm filio Eilas, Eilas filio Gospatric, Edulfo filio Normanni, Osolfo filio Ediue, Osolfo filio Elfstan, Roberto Brus meschin, Radulfo filio Turstain, Rogero nepote episcopi. Apud Ercheldon in Junio.

CXLII.

Charter by Earl Henry to the Abbey of Melros, circa A.D. 1143-1144.

Munimenta de Melros, No. 2.

HENRICUS filius David Regis Scottorum, Omnibus episcopis, abbatibus comitibus proceribus et omnibus probis hominibus Francis et Anglicis totius regni Scotiae salutem.

Sciatis me pro anima mea et pro animabus patris et matris meae et avunculi mei Edgari et uxoris meae Adae et filiorum meorum et omnium antecessorum meorum et successorum meorum dedisse et hac mea carta confirmasse Deo et ecclesiae Sanctae Mariae de Melros et monachis ibidem Deo servientibus de Rieualle et suis successoribus in puram et perpetuam elemosinam totam donationem regis David patris mei, scilicet totam terram de Melros et totam terram de Eldun, et totam terram de Dernewic per terminos et omnes rectas divisas suas in bosco in pratis in aquis in pasturis et moris in viis et semitis et in omnibus aliis rebus liberas quietas et solutas ab omni terreno servitio et exactione seculari.

Insuper sciatis me dictis et suis successoribus et hac mea carta confirmasse in terra mea et in forestis meis scilicet de Seleschirche et de Treuequor omnia aisiamenta sua pasturam scilicet ad averia sua et ligna et materiem et pasnagium ubique ad suos proprios usus sicut ego ipse melius habeo ad opus meum et nominatim inter Galue et Ledir. Praeterea in aquis de Thweda infra terminos eorum piscaturam tam ex mea parte quam ex eorum parte ubique. Praeterea vero omnia supradicta dedi et confirmavi eis ad incrementum Galtuneschalech et terram et boscum de Galtunesside sicut pater meus rex David et ego et Ricardus Abbas ejusdem ecclesiae perivimus et circuivimus die Veneris crastino ascensionis Domini anno scilicet secundo quo Stephanus Rex Angliae captus est.

His testibus ad praesens donum Johanne episcopo, Willelmo nepote regis, Hugone de Moreuille, Waltero filio Alani, Hugone Britone, Gervasio Ridel.

Volo itaque ut ipsi omnes has praedictas terras et res suas ita libere et quiete et honorifice teneant et possideant sicut aliqua elemosina liberius et quietius et honorificentius teneri potest et possideri tenore perpetuo.

Testibus Johanne episcopo, etc.

CXLIII.

Charter by King David granting to the Abbey of Dunfermlin the tithe of land in Atherai in exchange for the tithe of land in Cambuskinel, circa A.D. 1142.

Registr. de Dunfermelyne, No. 7.

DAVID Rex Scottorum, Vicecomiti et praepositis de Striuelinis Scyra salutem.

Sciatis me dedisse et concessisse Deo et Sanctae Trinitatis de Dunfermelyn et abbati et fratribus ejusdem loci decimam terrae Brixwald quam tenet in Atherai in escambio decimae terrae illius quam canonici habent in Cambuskinel.

Testibus Johanne episcopo et Duncano comite et Roberto Burguillun. Apud Striuelin.

CXLIV.

Charter by King David to the Abbey of Newbattle, A.D. 1140.

Regist. de Neubotle, No. 2.

DAVID Rex Scotiae, Omnibus hominibus terrae suae clericis et laicis salutem.

Sciatis me dedisse et confirmasse ecclesiae de Neubotle, et monachis ibidem Deo servientibus et Sanctae Mariae, Neubotle per suas rectas divisas in omnibus in perpetuam elemosinam, libere et quiete, sicut aliqua elemosina potest teneri et concedi liberius, exceptis duabus carrucatis terrae quas Roberto Ferrario pro suo servitio dedi, quare volo et praecipio ut ipsi monachi sint in bene et mea firma pace et heredum meorum et sint liberi et quieti et absoluti ab omnibus exactionibus et consuetudinibus secularibus per totum regnum in perpetuum. Annuente hoc et concedente Henrico filio meo et confirmante.

Praesentibus testibus Johanne Episcopo de Glesgu, Ricardo Abbate de Melros, Cospatrico et Duncano, comitibus, Hugone de Moreville constabulario. Apud Edinb. Kl. Novembris, anno incarnationis Domini millesimo centesimo quadragesimo.

CXLV.

Charter by King David to the Abbey of Newbattle, circa A.D. 1142.

The original is in the Archives at Newbattle. Registr. de Neubotle, No. 17.

DAVID Rex Scotiae, Episcopis abbatibus comitibus baronibus justitiis vicecomitibus ministris et omnibus probis hominibus totius regni sui clericis et laicis Francis Anglicis et Scottis salutem.

Sciant tam posteri quam praesentes me dedisse et concessisse Deo et Sanctae Mariae de Newbothle et fratribus ibidem Deo servientibus Morthuweit in bosco et in plano pratis pascuis et herbis per istas nominatas divisas scilicet sicut Blancheburne descendit de montibus et cadit in Gledehus et sicut Pardauarneburne venit de montibus et cadit in Esch et sicut duo rivuli descendunt de Muffo . . . retro Thocchesheued et cadunt hinc et inde in Gledehus et Esch et hoc ita libere honorifice

et quiete in perpetuam elemosiniam sicut aliqua elemosina liberius et quietius datur et tenetur.

Praesentibus testibus Henrico comite filio meo, Johanne episcopo, Dunecano comite, Hugone de Moreville, Willelmo de Sumerevile, Willelmo de Lindesai, Waltero de Ridale, Waltero de Lindesai, Randulfo de Sules, Hyngelrom clerico. Apud Castellum puellarum.

CXLVI.

Charter by King David granting Newbattle, Morthwait and Ruchalech to the Church of St. Mary at Newbattle, and confirming a grant by Robert Ferrers, circa A.D. 1142.

Reg. de Neubotle, No. 18.

DAVID Rex Scottorum, Episcopis abbatibus comitibus baronibus justitiis vicecomitibus et omnibus probis hominibus totius regni sui clericis et laicis Francis Anglicis et Scottis salutem.

Sciant tam posteri quam praesentes me dedisse et concessisse Deo et ecclesiae Sanctae Mariae de Neubotle et fratribus ibidem Deo servituris Neubotle et Morthwait in bosco et plano pratis pascuis et herbis per rectas divisas sicut ego et Hugo de Moreville, Walterus de Rydale, Ricardus de Castello, Petrus filius Kercembaldi et alii barones mei mecum peragavimus et praeter hoc Ruchalech et terram quam Robertus Ferrarius eis dedit et concessit et unam salinam in Blankelande et pasnagium per totum forestum meum et materiem ad aedificia sua construenda sicut ad opus meum dominicum et hoc ita libere honorifice et quiete in perpetuam elemosinam sicut aliqua elemosina liberius et quietius datur et tenetur.

Praesentibus testibus Henrico comite filio meo, Oswaldo Carliolensis episcopo, Hugone de Morville, Willelmo de Sumerville. Apud Castrum puellarum.

CXLVII.

Confirmation by Earl Henry to the Abbey of Newbattle, circa A.D. 1142.

Registr. de Neubotle, No. 19.

HENRICUS Comes filius Regis Scottorum, Episcopis abbatibus comitibus baronibus justitiis vicecomitibus et omnibus probis hominibus totius regni patris sui clericis et laicis Francis Anglicis et Scottis salutem.

Sciant tam posteri quam praesentes me concessisse et confirmasse Deo et ecclesiae Sanctae Mariae de Neubotle et fratribus ibidem Deo servientibus Neubotle et Morthwayt in bosco et plano et pratis et pascuis et herbis per illas divisas sicut pater meus cum baronibus in carta sua nominatis peragravit et sicut ego ipse postea illas peragravi et praeter hoc Ruchalec et terram quam Robertus Ferrarius eis dedit et concessit et unam salinam in Blankelande et pasnagium per totum forestum quiete et materiem ad aedificia sua construenda sicut ad opus meum dominicum.

Volo itaque ut omnia haec praedicta teneant et habeant in perpetuam elemosinam. Ita libere honorifice et quiete sicut aliqua elemosina liberius et quietius datur et tenetur.

Praesentibus testibus Athelwaldo Carliolensis Episcopo, Alwyno Abbate de Sancta Cruce, Willelmo Abbate de Struelyn, Osberto priore de Jeddewurthe et multis aliis.

CXLVIII.

Charter by King David to the Abbey of Newbattle of Ruchale, circa A.D. 1142.

Registr. de Neubotle, No. 1.

DAVID Rex Scotiae, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus et omnibus fidelibus suis totius regni sui salutem.

Sciatis me dedisse et concessisse in perpetuam elemosinam Deo et Sanctae Mariae et monachis de Neubotle Ruchale.

Testibus Alwino abbate de Edeneburgh, Gilberto priore, Edwardo cancellario, Dunecano comite, Hugone de Moreville, et Makbet de Libertona. Apud Edenb.

CXLIX.

Charter by King David granting a saltpan in Kalentyr to the monks of Newbattle, circa A.D. 1142.

Registr. de Neubotle, No. 162.

DAVID Rex Scottorum, Omnibus probis hominibus totius terrae suae salutem.

Sciatis me dedisse et concessisse, Deo et fratribus de Neubotle in perpetuam elemosinam unam salinariam in Kalentyr ita liberam et quietam sicut aliqua elemosina in terra mea datur liberius et conceditur.

Teste Comite Duncano.

CL.

Confirmation by Alwyn, Abbot of Holyrood, to the Abbey of Newbattle, circa A.D. 1142.

Registr. de Neubotle, No. 4.

FRATER Alwynus ecclesiae Sanctae Crucis de Edenburc abbas ejusdem conventus, Omnibus sanctae matris ecclesiae filiis tam futuris quam praesentibus salutem et pacem bonam.

Sciatis nos concessisse et scripto nostro confirmasse terram de Ruenhale liberam et quietam et in perpetuum possidendam abbati et fratribus ecclesiae Sanctae Mariae de Neubotle, propterea terram de Dalkied quam a rege vicariam accepimus. Valete.

CLI.

Grant of Pittendreich by Alwyn, Abbot of Holyrood, to Ralph, Abbot of Newbattle, circa A.D. 1142.

The original is in the Archives at Newbattle. Holyrood Charters, No. 7; Registr. de Neubotle, No. 5.

EGO Abbas Alwinus de Sancta Cruce notifico regibus, episcopis comitibus baronibus de Scotiae post me venturis me et capitulum nostrum Radulfo Abbati et conventui de Newebothla concessisse, David rege hoc tractante et proloquente, scilicet Pettenreiam villam nostram nunquam proprius erga Newebothlam remoturam quam fuit illo die quando conventus primum illuc advenit. Fundata enim fuit ecclesia illa a David rege anno ab incarnatione die millesimo C^mo^ XLI^mo^.

CLII.

Grant by Norman, the Sheriff of Berwick, to the Abbey of Holyrood of the Chapel of Corstorphin, circa A.D. 1142.

Holyrood Charters, No. 8.

NORMANNUS vicecomes de Berewic, Omnibus hominibus suis de Crostorfin salutem.

Sciatis me concessisse et in perpetuam elemosinam dedisse Sanctae Cruci de Edeneburg et abbati et fratribus ibidem Deo servientibus capellam meam de Crostorfin cum omnibus rectitudinibus capellae eidem pertinentibus.

Testibus Henrico Comite et Edwardo cancellario et Turoldo archidiacono Lodoniae, et Ricardo clerico de Edeneb. Apud Berewic.

CLIII.

King David's Great Charter to the Abbey of Holyrood.

The original is in the possession of the City of Edinburgh. Holyrood Charters, No. 1.

In nomine Domini nostri Jhesu Christi et in honore Sanctae Crucis et Sanctae Mariae virginis Omniumque Sanctorum, ego David Dei gratia Rex Scottorum regali auctoritate assensu Henrici filii mei et episcoporum regni mei comitum quoque baronum confirmatione et testimonio, clero etiam acquiescente et populo, divino instinctu omnia subscripta concedo ecclesiae Sanctae Crucis Edwinesburgensi et pace perpetua confirmo.

Haec itaque sunt quae ecclesiae praefatae et canonicis regularibus in eadem Deo servientibus in liberam et perpetuam elemosinam concedimus. Ecclesiam scilicet castelli cum omnibus appendiciis et rectitudinibus suis et examen duelli aquae et ferri calidi quantum ad ecclesiaticam dignitatem pertinet et cum salectuna per suas rectas divisas et ecclesiam Sancti Cuthberti cum parochia et omnibus rebus quae eidem ecclesiae pertinent et cum Kyrchetune per rectas divisas suas et cum terra in qua ipsa ecclesia sita est et cum alia terra quae sub castello jacet videlicet a fonte qui oritur juxta angulum gardini mei per viam qua itur ad ecclesiam Sancti Cuthberti et ex alia parte sub castello usque quo pervenitur ad unam craggam quae est sub eodem castello versus orientem et cum duabus capellis quae ad eandem ecclesiam Sancti Cuthberti pertinent scilicet Crorstorfin cum duabus bovatis terrae et sex acris et illa capella de Libertune cum duabus bovatis terrae et cum omnibus decimis et rectitudinibus tam de vivis quam de mortuis de Legbernard quas Macbetber eidem ecclesiae dedit et ego concessi et

ecclesiam de Hereth cum terra quae ad eandem ecclesiam pertinet et cum tota terra quam ego ei augmentavi et dedi sicut ministri mei et probi homines perambulaverunt et tradiderunt Alwino Abbati cum una salina in Hereth et XXVI acris terrae quam ecclesiam et terram praenominatam volo ut canonici Sanctae Crucis teneant et possideant in perpetuum libere et quiete et prohibeo firmiter ne aliquis canonicos sive homines eorum qui in eadem terra manent injuste gravent aut disturbent, neque aliquas operationes sive auxilia sive consuetudines seculares injuste ab eis exigant. Volo etiam ut idem canonici habeant libertatem molendini faciendi in eadem terra et ut habeant in Hereth omnes consuetudines illas et rectitudines et aisiamenta videlicet in aquis et piscationibus in pratis in pascuis et in omnibus aliis necessariis rebus sicut melius habuerunt die illa qua illam habui in meo dominio et Broctunam cum suis rectis divisis et Inverlet illam quae vicinior est portui cum suis rectis divisis et cum ipso portu et cum medietate piscationis et cum decima totius piscationis quae ad ecclesiam Sancti Cuthberti pertinet et Petendreiam cum suis rectis divisis et Hamere et Fordam cum suis rectis divisis et hospitale cum una carrucata terrae et quadraginta solidos de meo burgo de Ewinesburg singulis annis et redditum centum solidorum singulis annis ad indumenta canonicorum de cano meo de Pert et hoc de primis navibus quae negotiationis causa veniunt ad Pert et si forte non venerint concedo praefatae ecclesiae de meo redditu de Edwinesburg quadraginta solidos et de Striueline viginti solidos et de Pert quadraginta solidos et unum toftum in Striueline et tractum unius retis ad piscandum et unum toftum in burgo meo de Edwinesburg liberum et quietum ab omni consuetudine et exactione et unum toftum in Berewic et tractum duorum retium in Scypwel et unum toftum in Reinfry quinque particarum et tractum unius retis ad salmones et ibi piscari ad allechtia libere et prohibeo ne

aliquis inde a vobis sive ab hominibus vestris aliquas consuetudines exigat.

Concedo etiam praefatis canonicis de camera mea singulis annis decem libras ad luminaria ecclesiae et ad operationes ejusdem ecclesiae et ad reparationem earundem operationum in perpetuum.

Praecipio etiam omnibus ministris meis et forestariis de Striuelin-sire et de Clacmanant quod Abbas et conventus habeant liberam potestatem in omnibus nemoribus meis et forestis capiendi tantum de materia quantum eis placuerint et voluerint ad aedificationem ecclesiae suae et domorum suarum et ad quaelibet negotia sua facienda et praecipio quod homines eorum qui ad eorum negotia in eisdem nemoribus materiam capiunt meam firmam pacem habeant et ita quod non permittatis quod in aliquo disturbentur et porcos dominicos supradictae ecclesiae in omnibus nemoribus meis concedo esse quietos de padnagio.

Concedo etiam praefatis canonicis medietatem sepii et uncti et coriorum de occisa de Edwinesburg et decimam de omnibus cetis et marinis beluis quae mihi eveniunt ab Avin usque ad Colbrandespade et decimam omnium placitorum meorum et lucrorum ab Avin usque ad Colbrandespade et medietatem meae decimae de meo cano et de meis placitis et lucris de Kentyr et de Errogeil et omnes pelles arietinas et ovinas et agninas de castello et de Linlitcu quae moriuntur de meo dominio et octo cheldros de brasio et octo de farina et triginta carratas de busche de Libertune et unum de meis molendinis de Dene et decimam molendini de Libertune et de Dene et novi molendini de Edwinesburg et Craggenemarf quantum inde habeo in meo dominio et quantum Vineth Albus eis de eodem Craggo in elemosinam dedit.

Concedo et eis herbergare quoddam burgum inter eandem ecclesiam et meum burgum et concedo ut burgenses eorum habeant communionem vendendi res suas venales et

emendi in foro meo libere et absque calumpnia et consuetudine sicut mei proprii burgenses et prohibeo ne aliquis in burgo eorem panem vel cervisiam aut pannum aut aliquod venale capiat per vim aut sine voluntate burgensium.

Concedo et canonicos esse quietos de theloneo et de omni consuetudine in omnibus burgis meis et per totam terram meam scilicet de omnibus rebus quas ement et vendent et prohibeo ne aliquis capiat pandum super terram Sanctae Crucis nisi abbas ejusdem loci rectum et jus facere recusaverit.

Volo autem ut omnia praedicta ita liberaliter et quiete teneant sicut ego meas proprias terras possideo et volo ut abbas curiam suam ita libere et plenarie et honorifice habeat sicut episcopus Sancti Andreae et abbas de Dunfermelin et abbas de Kelcov curias suas habent.

Hiis testibus Rodberto Episcopo Sancti Andreae, Johanne Episcopo Glasguensi, Henrico filio meo, Willelmo nepote meo, Eadwardo cancellario, Hereberto camerario, Gillemichael com., Gospatrico fratre Dolfini, Rodberto de Monte Acuto, Rodberto de Burneuile, Petro de Brus, Normanno vicecomite, Oggu, Leising. Gillise, Willo. de Graham, Turstano de Crectune, Bleino archidiacono Aelfrico capellano, Waleranno capellano.

CLIV.

Charter by King David to Edward, a monk of Coldingham, of a tithe of fishings.

Small Chartulary of Durham.

DAVID Rex Scotiae, Vicecomiti de Berwic praepositis et omnibus probis hominibus suis vicecomitatus de Berwic salutem.

Praecipio quod Edwardus monachus de Coldingham habeat ita bene et in pace et plenarie totam decimam

piscium de his piscatoriis aquis de Halwarestelle et de omnibus aliis juste pertinentibus ad ecclesiam Sancti Cuthberti de halieland sicut melius et plenius habent.

Prohibeo etiam quod nullus inde quicquam injuste retineat nec celet super Dei defensionem (et) meam T. . . .

CLV.

Charter by King David granting Pittenweem and Inverin to the monks of May, circa A.D. 1143.

Cartae Prior. Insulae de May, No. 4.

DAVID Rex Scotiae, Episcopis abbatibus comitibus vicecomitibus ministris et probis hominibus totius terrae suae salutem.

Sciatis me concessisse et in perpetuam elemosinam dedisse Deo et ecclesiae de Mai et fratribus ibidem Deo servientibus tam futuris quam praesentibus Petneweme et Inuerrin quae fuit Averni per rectas divisas ita libere et quiete ad tenendum de me sicut aliae ecclesiae elemosinarum mearum tenent melius et liberius.

Testibus Abbate Gaufrido de Dunfermelin et Comite Dunecano et Hugone de Morevilla et Edwardo cancellario et Alfwino MacArchil et Macbet Mac Torfin. Apud Edeneburgum.

CLVI.

Charter by King David granting common rights in the wood of Clackmannan to the priory of May, circa A.D. 1143.

Cartae Prior. Insulae de May, No. 5.

DAVID Rex Scotiae, Episcopis comitibus vicecomitibus ministris et gilleserfis de Clamanec et omnibus probis hominibus suis salutem.

Sciatis me concessisse et dedisse Archardo priori et fratribus de Mai in elemosinam communitatem nemoris de Clacmanec quare defendo ne ullus eos aut eorum homines in nemore disturbet.

Testibus Galfrido Abbate de Dunfermelin et Edwardo cancellario et Herberto camerario. Apud Dunfermelin.

CLVII.

Charter by King David granting Crefbarrin to the church of Dunfermline, circa A.D. 1143.

Registr. de Dunfermelyn, No. 5.

DAVID Rex Scottorum, Omnibus hominibus suis salutem.

Sciatis me dedisse et concessisse ecclesiae Sanctae Trinitatis de Dunfermlin in elemosinam Crefbarrin.

Testibus Johanne episcopo, Edwardo cancellario, Hugone de Moreville. Apud Elbotle.

CLVIII.

"De muliere leuif et suos fugitivos," circa A.D. 1143.

Registr. de Dunfermelyn, No. 20.

DAVID Rex Scottorum, Omnibus probis hominibus totius terrae suae salutem.

Mando vobis atque praecipio quatenus unuscunque H. leuif poterit invenire aliquos suorum fugitivorum quatenus ei juste reddantur et ne ullus ei juste detineat super meam defensionem.

Testibus Hugone de Morville et Edwardo cancellario. Apud Edinburg.

CLIX.

Charter by King David granting to the Abbey of Kelso a saltpan in Carsach, circa A.D. 1143.

Liber de Calchou, No. 375.

DAVID Dei gratia Rex Scottorum, Episcopis abbatibus comitibus baronibus vicecomitibus justitiis praepositis ministris et omnibus probis hominibus totius regni sui Francis Anglicis et Scottis salutem.

Sciant tam posteri quam praesentes me dedisse et concessisse ecclesiae Sanctae Mariae de Kelchov et abbati fratribusque ejusdem ecclesiae pro salute animae meae in perpetuam elemosinam unam salinam in Carsach ita liberam et quietam sicut aliquam elemosinam liberius et quietius tenent et habent.

Testibus Roberto Sancti Andreae episcopo, Johanne Glasguensi episcopo, Edwardo cancellario, Dunecano comite, Hereberto camerario, Edwardo, Tor vicecomite, Alwino Mac Archill, Ucteredo filio Fergus. Apud Streuelyn.

CLX.

Charter by King David to the canons of Holyrood of fifty-two acres of the land of Dalkeith, circa A.D. 1144.

Holyrood Charters, No. 6.

DAVID Rex Scotiae, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus et omnibus fidelibus suis clericis et laicis tam praesentibus quam futuris totius regni sui salutem.

Sciatis me dedisse et concessisse pro animabus antecessorum et successorum meorum in perpetuum Deo et Sanctae Cruci de Edeneburc et canonicis fratribus nostris

ejusdem loci videlicet LIJ acras de terrae de Dolchet inter nemus et planam terram in escambio de Rhuchale quam monachis de Neubotle in perpetuam elemosinam donavi. Concedo etiam praenominatis canonicis Sanctae Crucis omnem decimam novi molendini de Dene et burgi mei de Edeneb. et Libertone in perpetuam elemosinam.

Praesentibus testibus Johanne episcopo, Edwardo cancellario, Dunecano comite, Hugone de Moruille, Willelmo de Lindesai, Waltero de Ridale, Thor de Treuernent, Malbet de Libertone. Apud Castellum puellarum.

CLXI.

Charter by King David granting Rindalgros to the Abbey of Reading, A.D. 1143-1147.

Cartae Prior. Insulae de May, No. 1.

DAVID Dei gratia Rex Scotiae, Venerabilibus fratribus et amicis E abbati et domino Briencio totique conventui de Redingis salutem et dilectionem.

Animae meae meorumque saluti providens et vestris necessitatibus caritatis intuitu subveniens, dono et concedo Deo et ecclesiae Sanctae Mariae et conventui de Redingis, Rindalgros per illas divisas per quas ego ipse sed et Willelmus Giffard, Herbertus camerarius ceterique homines mei perivimus ad vestrum opus. Hanc itaque praedictam villam pro salute animae meae antecessorum et successorum meorum vobis et successoribus vestris in perpetuam elemosinam dono et concedo ita liberam et quietam et ab omnium hominum calumpnia absolutam in terris aquis et piscariis sicut aliqua abbatia in regno meo donationes suas et possessiones liberius et quietius tenet et habet.

Hac demum consideratione ut si ego vel heredes mei praedictae donationi tantum divina inspiratione adderemus unde conventus posset sustentari praedicto loco

conventum destinetis qui de beneficiis illis necessaria habeat. Reliquum vero utilitati et dispositioni vestrae concedimus.

Praesentibus testibus fratre Willelmo Giffardo, Gaufrido abbate de Dunfermelin, Edwardo cancellario, Waltero de Bydun, Nicolao clerico, Dunecano comite, Hugone de Morevill, Herberto camerario, Waltero de Lindesai, Leod de Brechin. Apud Dunfermelin.

CLXII.

Charter by Robert, Bishop of St. Andrews, endowing the Priory of St. Andrews, A.D. 1144.

Reg. Prior. S. Andreae.

ROBERTUS Dei gratia Scottorum episcopus, Omnibus catholicae ecclesiae filiis tam praesentibus quam futuris salutem perpetuam ecclesiam beati Andreae apostoli cui auctore Deo deservio, quum usque ad tempus nostrum permodica fuerat Deo inspirante ampliare studuimus sed quam non sufficit ad laudem nominis Domini lapidum congeriem congregare nisi et procuremus vivos in Dei aedificium lapides adunare, canonicos ibidem ad Deo deserviendum sub regulari canonicali beati patris Augustini constituimus, quibus et filium nostrum fratrem Robertum in partem laboris nostri assumentes, jure pariter et nomine prioris prefecimus et ad victum et vestitum eorum ceteraque necessaria de possessionibus et redditibus nostris, consilio simul et concessione piisimi regis nostri David necnon et filii ejus Henrici comitis et regis designati. Nihilominus et episcoporum abbatum comitum atque optimatum et fidelium suorum consilio, portionem quandam in perpetuum possidendam liberam et inconcussam indulsimus, quae autem donavimus et concessimus subscribenda dignum duximus. Sunt autem haec: Barri-

mund . Struuithin . Kinnines . Castdouenald . Drumckarach . Ledochin . Stradkines . Balhucea . Rodmanand . Pettultin . Kinastare . Chinemonie . Drumsac . Balemacdunechin . Eglisnamin . Ballothen . Sconin . molendinum de Kilremund . molendinum de Puthachin.

Haec omnia cum omnibus pertinentibus et adjacentibus et appendiciis suis. Et de firma regis de Perth I marcam argenti singulis annis ad Pascha ad luminare ecclesiae et unam aquam in Bereuiuich de dono regis. De VII vero portionibus quae sunt altaris Sancti Andreae, ipsis canonicis IJ portiones dedimus et concessimus quae pertinent duobus personagiis quae ipsi habent et hospitali ejusdem villae I portionem. Quod nimirum hospitale cum terris et possessionibus et redditibus eidem pertinentibus eisdem concessimus, in susceptionem hospitum et peregrinorum et ad ipsum hospitale medietatem decimae carrucarum nostrarum et vaccarum et berchiariarum et porchariarum et equariarum de parochia S. Trinitatis, et medietatem de nostro chan ejus parochiae et totam decimam de nostro chan de Biadebolg et de aliis provinciis et locis undecumque fuerit allatum vel adductum ad Sanctum Andream. Molendinum et de Nidin eis dedimus, et omnes libros nostros. Ista ergo et quaecunque postmodum praedictae ecclesiae Beati Andreae et canonicis ibidem Deo servientibus vel servituris collata fuerint, libera esse et quieta ab omni exactione decrevimus. Hanc igitur donationem et concessionem nostram, quicunque ipsi ecclesiae et canonicis immunem et inconcussam conservare adjuverit, partem et societatem cum Beato Andrea et coapostolis ejus et cum fundatoribus et defensoribus sanctae Dei ecclesiae et cum omnibus sanctis se praecepturum gaudeat. Quicunque vero sive per fraudem sive per violentiam eam infestare vel diminuere temptaverit nisi condigne satisfecerit ante tribunal districti judicis cum raptoribus et destructoribus ecclesiarum se reum et dampnabilem fore doleat.

Hanc ego Robertus episcopus donationis nostrae paginam episcopali auctoritate confirmo et ob memoriam et reverentiam dominicae crucis impressione consigno et sigilli nostri testimonio confirmatione consigno. Anno Dominicae incarnationis MC°XL.IIIJ. Ego Thoraldus Archidiaconus subscribo et crucis signo confirmo.

CLXIII.

Charter by King David confirming the rights of the Priory of St. Andrews, circa A.D. 1144.

Reg. Prior. S. Andreae.

DAVID Dei gratia Rex Scottorum, Episcopis abbatibus comitibus baronibus ministris et omnibus fidelibus suis salutem.

Ad hoc nos divina providentia in populo suo principes esse voluit ut debeamus et velimus ipsi tanquam Domino et Creatori omnium subesse et subditis nostris magis prodesse quam praeesse mala penitus extirpare bonum non solum ipsi facere verum etiam benefacientes adjuvare.

Proinde dilecti patris nostri in Christo venerabilis Roberti episcopi Sancti Andreae studium et opus attendentes in beati Andreae apostoli ecclesiae ampliare et canonicorum constitutione simul et elemosinarum largitione, tam ego quam Henricus filius et Deo donante heres meus et Rex designatus, tam utili et necessario incepto congaudentes et de bonis initiis meliores expectantes exitus quaecunque praefatus Dominus Robertus episcopus eidem ecclesiae et canonicis ibidem Deo servientibus et servituris dedit et per cartam confirmavit, nos illis concedimus et confirmamus perpetuo possidendam ita libere et quiete plenarie et honorifice sicut liberius et quietius plenarius et honorificentius possidetur aliqua elemosina in regno meo.

Nomina autem eorum quae ab ipso illis donata sunt subscribi dignum duximus Balrimund Struuichin Kinnis Gastduvenold Drumkarach Ledochin Stratkines Balucca Rodmanan Petultin Kinnastare Balgoua Kinnamone Drumsac Balemacdunegin Eglesnamin Ballochen Sconin cum omnibus pertinentibus et adjacentibus et appendiciis suis, molendinum etiam de Kilrimund molendinum de Niden molendinum de Pudechin.

De septem vero portionibus quae sunt altaris Sancti Andreae apostoli, ipsis canonicis duas portiones confirmamus et hospitali ejusdem villae unam portionem. Ipsum etiam hospitale ab episcopo eis datum et concessum in susceptione hospitum et peregrinorum cum terris et possessionibus et redditibus eidem pertinentibus, eisdem canonicis concedimus et confirmamus et ipsi hospitali medietatem de chan episcopi de parochia Sanctae Trinitatis et totam decimam de chan episcopi de Bladebolg et de aliis provinciis undecumque fuerit allatum vel adductum ad Sanctum Andream et omnes libros praedicti episcopi. Ex dono autem meo ecclesiam de Linlidcu cum capellis et terris infra burgum et extra et cum omnibus rectitudinibus eidem ecclesiae pertinentibus et unam marcam de firma mea de Perth singulis annis ad Pascha ad luminare ecclesiae Sancti Andreae apostoli et unam aquam in Berwic et tractum unius retis in aqua de Perte cum meis propriis retibus.

Praedictis etiam canonicis curiam suam cum libertatibus placitorum et querelarum concedimus sicut liberius et plenarius alicui ecclesiae vel elemosinae in regno meo concessimus, ecclesiam quoque de Foregrund cum omnibus eidem ecclesiae pertinentibus.

Praecipimus etiam ut nullus namum capiat in terris suis pro alterius forisfacto vel pro debitis aliorum. Concedimus etiam ut canonici sine omni disturbatione habeant materiem in bosco meo de Clackmanan ad aedificia sua. Praeter haec damus et concedimus ipsis

canonicis XL solidos de meo chan de navibus de Perth singulis annis ad vestitum eorum.

Has vero donationes et concessiones domini Roberti episcopi et nostras, ego David Dei gratia Rex regia auctoritate confirmo et sigilli mei impressione consigno ego Henricus comes filius David Regis et Deo praestante Rex designatus, ea quae subscripta sunt concedo et sigillo meo consigno. Ista vero et quaecunque praedictae ecclesiae Beati Andreae apostoli et canonicis ibidem Deo servientibus et servituris in posterum collata fuerint, libera esse et quieta ab omni exactione decernimus.

Testibus Willelmo nepote regis, Comite Dunecano, Cospatrico filio Walleui, Roberto camerario, Willelmo de Sumerville, Edwardo constabulario. Apud Kynros.

CLXIV.

Charter by Earl Henry confirming the rights of the Priory of St. Andrews, circa A.D. 1144.

Registr. Prior. S. Andreae.

HENRICUS Comes filius David Regis Scottorum, Omnibus fidelibus et amicis suis salutem.

Sicut filiis nequam pessimorum patrum imitatoribus peccata patrum et sua reddenda cognovimus ita justorum filiis si justitias patrum sectati fuerint bona retribuenda confidimus. Unde ego Henricus gloriosi et illustris Regis David filius et Deo propitio heres et rex designatus, amorem et sollicitudinem quam praedecessores mei circa Dei ecclesias habuerunt quam et me pater meus rex et docet et docuit, habere in animo meo statui. Concedo igitur eccelsiae Beati Andreae et Roberto primo ejusdem ecclesiae priori et canonicis ibidem Deo servientibus et servituris, donationes quas venerabilis pater Robertus episcopus consilio patris mei et assensu atque meo

eisdem contulit sicut carta ipsius episcopi testatur, donationes nihilominus patris mei ex propriis redditibus sicut per cartam suam rex pater meus eisdem concessit et confirmavit in perpetuum possidendas.

Testibus Roberto episcopo ejusdem ecclesiae et Dunecano comite et Willelmo capellano et Herberto camerario et Alfwino filio Archilli, et Malothen le Mareschald. Apud Chilrimund.

CLXV.

Bull of Pope Lucius II. in favour of the Priory of St. Andrews, A.D. 1144.

Registr. Prior. S. Andreae.

LUCIUS Episcopus servus servorum Dei, dilectis filiis Roberto priori ecclesiae Sancti Andreae apostoli de Scotia ejusque fratribus tam praesentibus quam futuris regularem vitam professis in perpetuum. Apostolici moderaminis clementiae convenit religiosos diligere et eorum loca pia protectione munire. Dignum namque et honestati conveniens esse cognoscitur ut qui ad ecclesiarum regimen assumpti sumus, eas et a pravorum hominum nequitia tueamur et apostolicae sedis patrocinio foveamus.

Eapropter, dilecti in Domino filii, vestris rationabilibus postulationibus venerabilis fratris nostri Bernardi episcopi Sancti David precibus inclinati clementer annuimus et praefatam ecclesiam in qua divino mancipati estis obsequio sub beati Petri et nostra protectione suscipimus et praesentis scripti patrocinio communimus. In primis siquidem statuentes ut ordo canonicus secundum beati Augustini regulam qui per te, dilecte in Domino fili Roberte, prior ejusdem loci, episcopi consilio et auxilio, in eadem ecclesia constitutus est, perpetuis temporibus inviolabiliter conservetur praeterea quascunque possessiones quaecunque bona ex dono aut concessione ejusdem loci episcopi vel aliorum

Dei fidelium in praesentiarum juste et canonice possidetis aut in futurum concessione pontificum, largitione regum vel principum, oblatione fidelium seu aliis justis modis Deo propitio poteritis adipisci, firma vobis vestrisque successoribus et illibata permaneant.

Decrevimus vero ut nulli omnino hominum liceat praefatam ecclesiam temere perturbare aut ejus possessiones seu bona vestra auferre, vel ablatas retinere, minuere aut aliquibus vexationibus fatigare sed omnia integre conserventur, eorum pro quorum gubernatione et sustentatione concessa sunt usibus omnimodis profutura. Salva episcopi nostri canonica justitia ac reverentia et apostolicae sedis auctoritate. Si qua igitur in futurum ecclesiastica secularisve persona hanc nostrae constitutionis paginam sciens contra eam temere venire temptaverit secundo tertiove commonita si non satisfactione congrua emendaverit potestatis honorisque sui dignitate careat, reamque se divino judicio existere de perpetrata iniquitate cognoscat et a sacratissimo corpore ac sanguine Dei et Domini Redemptoris nostri Jesu Christi aliena fiat, atque in extremo examine districtae ultioni subjaceat. Cunctis autem eidem loco juste servantibus sit pax Domini nostri Jesu Christi quatenus et hic fructum bonae actionis percipiant et apud districtum judicem praemia aeternae pacis inveniant. Amen, Amen, Amen.

Ostende nobis Domine misericordiam tuam.

Sanctus Petrus, Sanctus Paulus, Lucius Papa II.

Ego Lucius catholicae ecclesiae episcopus S.S.

Ego Conradus Sabinensis episcopus S.S.

Ego Theoduuninus Sanctae Rufinae epis. S.S.

Ego Albericus Ostiensis epis. S.S.

Ego Iamarus Tusculanus epis. S.S.

Ego Petrus Albanensis epis. S.S.

Ego Gilbertus indignus sacerdos titulo S. Marci S.S.

Ego Rem. Presbyter Cardinalis titulo S. Stephani in Celio Monte. S.S.

Ego Guido Diaconus Cardinalis Sanctorum Cosme et Damiani S.S.

Ego Gerardus Diaconus Cardinalis Sanctae Mariae in Dominica S.S.

Dat. Lat. per manum Baronis capellani et scriptoris IJ idus Maii Indict. VIJ, incarnationis dominicae anno M. C. XLIIIJ, pontificatus vero domini Lucii II. Papae anno primo.

CLXVI.

Charter by King David to the monks of May granting liberty to sell their fish.

Chartulary of the Abbey of Reading.

David Rex Scotiae, Justitiaris vicecomitibus praepositis et omnibus probis hominibus totius terrae suae salutem. Sciatis quod concessi monachis et suis hominibus libertatem vendendi piscem suum in portu suo sicut in burgo. Quare praecipio super meum forisfactum ne calumpnientur de mercimoniis comparatis plusquam de [empticiis] in meo [dominico] burgo.

Testibus Gaufrido abbate de Dunfermelin, Edwardo cancellario et multis aliis.

CLXVII.

Charter by King David to the monks of May granting to their ship freedom from toll.

Chartulary of the Abbey of Reading.

David Rex Scotiae, Omnibus probis hominibus terrae suae salutem. Mando vobis atque praecipio quatenus ubicunque navis fratrum de Mai applicuerit in terra mea sit quieta de cano et tolneo et omni consuetudine ita ne ullus eis aut rebus [eorum] forisfaciat.

Testibus Gaufrido abbate de Dunfermelin et Edwardo cunestabulario. Apud Edeneburh.

CLXVIII.

Charter by King David granting to the canons of St. Andrews a fishing and a toft in Berwick, and freedom from toll and liberty to buy corn and flour.

Registr. Prior. S. Andreae.

DAVID Rex Scottorum, Omnibus probis hominibus totius terrae suae salutem.

Sciatis me dedisse et concessisse ecclesiae Sancti Andreae in Scotia et canonicis ibidem Deo servientibus et servituris, unam aquam in Berewic et unam toftam juxta ecclesiam ita liberam et quietam ab omni consuetudine et servitio seculari sicut liberius et quietius elemosina potest dari et concedi.

Volo etiam et praecipio ut praedicti canonici et homines sui sint quieti et liberi de tolneo in burgis meis et extra per totum regnum meum et habeant licentiam emendi cujusmodi voluerint bladum et farinam in mea firma pace ad suos proprios usus et nullus super meam defensionem eos inde disturbet.

Testibus Hugone de Moreuilla, Roberto de Sigillo Randulfo de Sulis. Apud Rochesburg.

CLXIX.

Declaration by Robert, Bishop of St. Andrews, that he had founded the burgh and had granted land to Mainardus, the Provost, circa A.D. 1144.

Black Book of St. Andrews; Act. Parl. Scot. I.

ROBERTUS Dei gratia Sancti Andreae humilis minister, Universis fidelibus tam futuris quam praesentibus salutem.

Innotescat dilectioni vestrae nos Deo auxiliante et licentia regis nostri David, burgum apud Sanctum Andream in Scotia statuisse et in ipso burgo hunc Mainardum Flandrensem cum regis consensu et ejus firma pace praefectum fecisse et huic praefato Mainardo et heredibus suis in ipso burgo propter suum servitium nobis et nostris fideliter exhibitum tres toftas scilicet a vico burgendi usque ad rivum prioris libere et quiete ab omni consuetudine pro sedecim nummis scilicet uniquique virgatae terrae quatuor denarios concedimus. Quia ipse ex prioribus est qui burgum supradictum aedificare et instaurare incepit. Eapropter successoribus nostris humiliter supplicamus quatenus illum et heredes suos pro amore Dei et Sancti Andreae et nostri diligant et manuteneant et nullus ei et suis super excommunicatione Dei et Sancti Andreae et nostri injuriam inferat et si quis ei quacunque ex causa injuriam fecerit rex terrae ei propter Deum rectum facere non diferrat quod si ipse non fecerit Rex Regum justus et aequus Judex in die magnae ultionis ei rectum faciat.

Supradicta enim villa elemosina illius benedicti regis est et ipse supradictus Mainardus ejus proprius burgensis in Berrewyk fuit quem Sancto Andreae et nobis cum supradicta elemosina in elemosinam tribuit.

His testibus Priore ecclesiae ejusdem villae, Willelmo Torreld.

CLXX.

Charter by King David granting to the church of St. Andrews a fishing in the Tay, circa A.D. 1144.

Registr. Prior. S. Andreae.

David Rex Scottorum, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus et omnibus fidelibus suis

totius regni sui, Francis et Anglicis et Scottis tam futuris quam praesentibus salutem.

Sciatis me dedisse et concessisse in perpetuam elemosinam Deo et Sancto Andreae et fratribus ibidem Deo deservituris tractum unius retis in aqua de Thei ad piscandum ubi mea dominica retia piscabuntur.

Concedo etiam eis praedictum tractum ita libere et quiete de omnibus rectitudinibus et consuetudinibus tenere sicut elemosina melius et liberius et quietius potest dari et concedi pro anima mea et filii mei et pro animabus antecessorum et successorum meorum.

Praesentibus testibus Hugone de Morevill, Dunecano comite, Herberto camerario, Roberto de Sigillo, Randulfo de Sules, Roberto Burguiñ, Alwino filio Archil, Roberto de Pert. Apud Sconam.

CLXXI.

Charter by King David to the Hospital of St. Andrews of the land of Kenlachyn, circa A.D. 1144.

From a transcript in the Register House, made from the original at St. Andrews, communicated by the Reverend Dr. John Lee.

David Rex Scottorum, Episcopis, abbatibus, comitibus, justitiariis, baronibus, vicecomitibus et omnibus fidelibus totius regni sui, Francis et Anglicis et Scottis salutem.

Sciatis me dedisse et concessisse et hac mea carta confirmasse Hospitali Sancti Andreae in perpetuam elemosinam terram de Kenlachyn liberam et quietam ab omni servitio seculari pro anima mea et Henrici filii mei et pro animabus antecessorum et successorum meorum.

Testibus Hugone de Moruille, Duncano comite, Hereberto camerario, Roberto de Sigillo, Randulfo de Sulis, Roberto Burguin, Alwino filio Archill, Roberto de Pert. Apud Scon.

CLXXII.

Charter by King David granting Lesmahagow to the Abbey of Kelso, A.D. 1144.

Liber de Calchou, No. 8.

DAVID Dei gratia Rex Scottorum, Universis sanctae Dei ecclesiae filiis et fidelibus suis salutem.

Sciatis me intuitu Dei et pro salute animae meae et omnium antecessorum et successorum meorum, consilio et ammonitione Johannis Glasguensis episcopi dedisse et hac carta mea confirmasse abbathiae de Kelchou quam fundavi et abbati et monachis ibidem Deo servientibus in liberam et perpetuam elemosinam ecclesiam de Lesmahagu et totam Lesmahagu per suas rectas divisas et cum omnimodis pertinentiis suis in bosco et plano in moris et mariscis in pascuis et aquis in molendinis et in ceteris aedificiis et mansionibus construendis in terra sua prout eis libuerit.

Ita quod nullique omnino hominum liceat terras possessiones monachorum aliquo modo occupare nisi per ipsos. Et volo ut easdem terras et possessiones ita quiete et libere perpetualiter obtineant, sicut ego ipse eas unquam liberius et quietius obtinui et possedi solas orationes ad salutem animarum exsolvendo. Dictam vero ecclesiam praenominatus Johannes episcopus ex assensu totius cleri sui ad petitionem meam ab omni exactione et subjectione episcopali jure perpetuo praedictis abbati et monachis quietam clamavit et liberam sicut carta ipsius testatur et confirmat.

Ita quod abbas et monachi Kelchoenses de ecclesia de Lesmahagu sicut de cella sua ordinabunt priorem et monachos ordinis et habitus Kalchoensis in ipsa successive instituendo, prout locus potuit honeste sustentare una cum receptione pauperum per eos transeuntium.

Quicunque autem propter vitae vel membri periculum evadendi ad dictam cellam confugerint vel intra quatuor cruces circumstantes pervenerint ob reverentiam Dei et Sancti Machuti firmam pacem meam concedo.

Haec mea carta confirmata est, anno ab incarnatione Domini M.C.XL.IIIJ, regni mei anno XX primo, coram his testibus [Johanne Episcopo Glasguense, Henrico filio meo, Willelmo nepote meo, Edwardo cancellario Ascelino archidiacono, Ricardo et Johanne capellanis, Malcolmo filio comitis et Willelmo fratre ejus, Jordano Hayrun, Hugone de Moruilla, Odenello de Vmfrauilla, Roberto de Bruys, Willelmo de Sumervill, David Olifard, Willelmo de Lindesai. Apud Castrum puellarum.]

CLXXIII.

Confirmation by John, Bishop of Glasgow, of the grant of Lesmahagow to the Abbey of Kelso, A.D. 1144.

Liber de Calchou, No. 180.

OMNIBUS has litteras visuris vel audituris Johannes Dei gratia ecclesiae Glasguensis minister humilis salutem in Domino perpetuam.

Sciatis me caritatis intuitu ad petitionem domini mei David Regis Scottorum illustris, consilio et ammonitione virorum timentium Deum tam clericorum quam laicorum ex assensu et voluntate totius capituli mei concessisse et hac carta mea confirmasse abbati et monachis Calchovensis monasterii ecclesiam de Lesmahagu cum tota parochia sua, prout eis libuerit in perpetuum ordinandam, monachos in eadem instituendo et ipsam cum monachis ibidem servituris ab omni exactione et subjectione episcopali jure perpetuo liberam dimisisse et quietam.

Haec autem acta sunt coram domino meo Rege David et multis aliis tam clericis quam laicis anno ab incarnatione Domini M.C.XL.IIIJ.

CLXXIV.

King David orders Edward the monk of Coldingham to supply wood, ante A.D. 1136.

Stevenson's Illus., p. 13, from Cott. MS. Domitian vii., f. 47.

DAVID Dei gratia Rex Scottorum Ædwardo monacho de Coll' salutem.

Mando tibi et precor quatenus des mihi satis de tuis truncis ad meum rogum faciendum de Berewic in nemore quod est in Calang' inter te et Liulfum filium Uctredi.

Teste Herberto cancellario. Apud Peples.

CLXXV.

Confirmation by Earl Henry of a grant of the church of Sprouston by John, Bishop of Glasgow, to the Abbey of Kelso, circa A.D. 1144.

Liber de Calchou, No. 382.

HENRICUS filius Regis Scotiae, Episcopis comitibus vicecomitibus baronibus et omnibus probis hominibus totius terrae suae Francis Anglicis et Scotticis clericis et laicis salutem.

Sciatis me concessisse et confirmasse in perpetuam elemosinam donum ecclesiae de Sprostun quod Johannes Glasguensis episcopus dedit ecclesiae Sanctae Mariae de Kelcho, abbati et monachis in elemosinam perpetuo possidendam.

Praesentibus testibus Duncano comite, Herberto camerario, Rodberto de Sigillo, Radulfo de Sulis, Alwino filio Archilli, Waltero de Struelyn. Kalendas Julii. Apud Rochburge.

CLXXVI.

Charter by King David of Rauendena to the church of St. Mary and St. John, Kelso, circa A.D. 1145.

Liber de Calchou, No 372.

DAVID Rex Scottorum, Omnibus probis hominibus suis salutem.

Sciatis me dedisse ecclesiae Sanctae Mariae et Sancti Johannis de Chelchehov libere et quiete in perpetuum Rauendenam cum suis rectis divisis sicut eam melius habui in meo dominio in terra et herba et aquis, excepta una carrucata terrae quam dedi hospitali de Rochesburgo et concedo praedictae ecclesiae terram Osulfi Wittburgis post obitum suum, ita solam et quietam sicuti aliam.

Testibus Henrico filio Regis, Johanne episcopo, Eadwardo cancellario, Abbate de Dunfermelyn, Willelmo filio Dunecani, Roberto de Brus, Hugone de Moruille, Gervasio Ridel. Apud Rochesburge.

CLXXVII.

Confirmation by Earl Henry of the rights of the monks of St. Cuthbert in Swinton, circa A.D. 1145.

The original is in the Treasury at Durham.

HENRICUS filius Regis Scotiae, Omnibus suis hominibus tam Francis quam Anglis salutem.

Sciatis me dedisse et concessisse monachis Sancti Cuthberti, Swintun in perpetuum possidendam et libere disponendam in dominicum servitium suum sicut carta bonae memoriae Ædgari regis avunculi mei testatur et sicut pater meus eis concessit et reddidit. Et volo et praecipio ne aliquis de hoc molestiam vel calumpniam eis faciat, quia hoc eis concessi in perpetuam elemosinam pro salute animae meae et parentum meorum scilicet Malcolmi regis et Margaretae reginae et filiorum ac filiarum ipsorum.

Testibus Eustachio filio Johannis et Roberto de Umframvilla et Herberto camerario et Gileberto de Umframvilla et Willelmo de Sumervilla. Apud Huntendunam.

CLXXVIII.

Confirmation by King David of the grant by Gospatric to the church of Coldingham of Ederham and Nesbit, A.D. 1147.

The original is in the Treasury at Durham.

DAVID Dei gratia Rex Scottorum, Omnibus sanctae ecclesiae fidelibus praesentibus et futuris salutem.

Sciatis me concessisse ecclesiae Sanctae Mariae et Sancti Cuthberti de Coldingham et monachis ibidem Deo servientibus donum quod Gospatricus frater Dolfini dedit praedictae ecclesiae et monachis scilicet Ederham et Nesbitam in perpetuam elemosinam cum ecclesiis et aquis et pratis et pascuis et molendinis et omnibus aliis locis et cum eisdem rectis divisis quibus eas tenuit die quo fuit vivus et mortuus liberas et quietas ab omni servitio et omni consuetudine exceptis triginta solidis quos praefati monachi dabunt filio ejus Gospatrico et heredibus suis post eum pro conredio regis unoquoque anno ad festum Sancti Martini et excepto exercitu regis unde monachi erunt attendentes ipsi regi et ipse Gospatricus de exercitu erit quiete in perpetuum.

Praesentibus testibus Roberto episcopo Sancti Andreae, Johanne Glasguensis episcopo, Herberto abbate de Rochesburg, Ricardo abbate de Mailros, Ædwardo cancellario, Tror archidiacono, Hugone constabulario, Herberto camerario, Randulfo de Sules, Galtero de Ridel, Rob. de Burneuilla, Horm fil. Malcolm, Normanno vic. de Berwic, Rob. fil. Widoñ vic. de Rochesb., Sain sacerdote de Fiswic, Will. de Lambertun, Aldan de prenregeste. Apud Coldingham in die inventionis Sanctae Crucis anno M.CLXVIJ ab incarnatione Domini, videlicet illo anno in quo rex Franciae et multi Christiani perrexerunt ierusalem.

CLXXIX.

Charter by King David granting to the church of St. Mary at Stirling the lands of Cambuskenneth, etc., A.D. 1147.

Chartulary of Cambuskenneth, No. 51.

In nomine Patris et Filii et Spiritus Sancti, Amen. Ego David Dei gratia Rex Scottorum assensu Henrici filii mei et episcoporum regni mei comitumque et baronum confirmatione et testimonio, concedo ecclesiae Sanctae Mariae de Striueling et canonicis in ea regulariter viventibus ea quae subscripta sunt et pace perpetua confirmo. Haec itaque sunt quae praefatae ecclesiae concedo, terram de Cambuskynneth et piscaturam inter eandem terram et Pollemase et unum rethe in aqua: terram quoque de Colling, cum nemore et suis rectis divisis: terram etiam de Dunbodeuin, quae est inter aquam ejusdem terrae et terram de Lochin, quadraginta quoque solidos de redditu meo de Striueling et canum unius navis et unam salinam et totidem terrae quot habet una de salinis meis et decimam firmae de dominiis meis de Striueling et oblationes quae in praedicta ecclesia oblatae

fuerint et insulam quae est inter Pollemase et Dunbodeuin et viginti cudermis de caseis redditus mei de Striueling: eandem quoque libertatem et consuetudinem quam ceteris ecclesiis terrae meae concessi et confirmavi, eidem ecclesiae concedo et confirmo.

Volo itaque ut quaecunque praedicta ecclesia in praesenti possidet vel in futuro possessura est, ita quiete et libere sicut ego praefatas terras possideo, possideant, salva defensione regni et justitia regali, si praelatus aliquo impulsu a justitia exorbitaverit.

Hujus confirmationis testes sunt Comes Henricus filius regis, Robertus episcopus Sancti Andreae, Gregorius episcopus Dunkeldensis, Herbertus electus de Glasgu, G. abbas Dunfermelinensis, abbas Sanctae Crucis, Robertus prior Sancti Andreae, Osbertus prior Jeddewrt., Edwardus cancellarius, Comes Dunecanus, Leod de Brechin, Hugo de Moruille, Herbertus camerarius, Willelmus de Sumervill, Ranulfus de Sules, Willelmus de Lindesai, Walterus de Ridale.

CLXXX.

Bull by Pope Eugenius III. in favour of the Abbey of Stirling, A.D. 1147.

Chartulary of Cambuskenneth, No. 23.

EUGENIUS Episcopus servus servorum Dei, Dilectis filiis Willelmo abbati ecclesiae Sanctae Mariae de Striueling ejusque fratribus tam praesentibus quam futuris regularem vitam professis in perpetuum.

Ad hoc universalis ecclesiae cura nobis a provisore omnium bonorum Deo commissa est, ut religiosas diligamus personas et beneplacentem Deo religionem studeamus modis omnibus propagare, nec enim Deo gratus aliquando

famulatus impenditur nisi ex caritatis radice procedens a puritate religionis fuerit conservatus: ea propter dilecti in Domino filii, vestris justis postulationibus, dilecti filii nostri fratris Roberti prioris Sancti Andreae precibus inclinati, clementer annuimus et praefatam ecclesiam in qua divino mancipati estis obsequio sub Beati Petri et nostra protectione suscepimus et praesentis scripti privilegio communimus: Statuentes ut ordo canonicus de Arrosia quae per te, dilecte in Domino fili, Willelme abbas, praeveniente gratia Dei consilio et auxilio venerabilis fratris nostri Roberti episcopi Sancti Andreae in eadem ecclesia noscitur institutus perpetuis ibidem temporibus inviolabiliter conservetur.

Praeterea quascunque possessiones quaecunque bona eadem ecclesia in praesentiarum juste et canonice possidet aut in futurum concessione pontificum, largitione regum vel principum, oblatione fidelium seu aliis justis modis Deo propitio, poterit adipisci, firma vobis vestrisque successoribus et illibata permaneant, quae propriis dignum duximus exprimenda vocabilis: terram videlicet de Dumbodelin cum aquis et terram de Cambuskynneth cum piscatura et rethe in aqua et terram de Collyne cum nemore et decimam de dominiis regis de Striueling et de redditibus regis XL solidos et canum unius navis.

Decernimus ergo ut nulli omnino hominum liceat praefatam ecclesiam temere perturbare aut ejus possessiones auferre vel ablatas retinere, minuere, aut aliquibus vexationibus fatigare, sed omnia integra conserventur eorum pro quorum gubernatione et sustentatione concessa sunt usibus omnimodis pro futura, salva sedis apostolicae autoritate et episcopi Sancti Andreae canonica reverentia, si qua igitur in futurum ecclesiastica secularisve persona hanc nostrae constitutionis paginam sciens, contra eam temere venire temptaverit secundo tertiove commonita, si non satisfactione congrua emendaverit, potestatis honorisque sui dignitate careat: reamque se divino

judicio existere de perpetrata iniquitate cognoscat et a sacratissimo corpore ac sanguine Dei et Domini Redemptoris nostri Jesu Christi aliena fiat atque in extremo examine districtae ultioni subjaceat, cunctis autem eidem loco juste servantibus sit pax Domini nostri Jesu Christi quatenus et hic fructum bonae actionis percipiant et apud districtum judicem praemia aeternae pacis inveniant. Amen.

Ego Eugenius catholicae ecclesiae episcopus.

Ego Odo diaconus cardinalis S. Georgii ad Velum Aureum.

Ego Abbericus Ostiensis episcopus.

Ego Johannes Paparo diaconus cardinalis S. Adriani.

Ego Hubaldus presbyter cardinalis Sanctorum Johannis et Pauli.

Ego Ignarus Tusculanus episcopus.

Ego Gregorius diaconus cardinalis.

Ego Gilbertus indignus sacerdos S. Martini.

Datum Altisiodori, per manum Guidonis sanctae Romanae ecclesiae diaconi cardinalis et cancellarii, tertio Kalendas Septembris, indictione decima, incarnationis dominicae anno millesimo centesimo quadragesimo septimo, pontificatus vero domini Eugenii tertii papae anno tertio.

CLXXXI.

Bull of Pope Eugenius III. giving the right of electing the Bishop of St. Andrews to the Prior and Canons of St. Andrews instead of to the Keledei, Aug. 30, 1147.

Registr. Prior. S. Andreae.

EUGENIUS Episcopus servus servorum Dei, Dilectis filiis Roberto priori ecclesiae beati Andreae apostoli in Scotia ejusque fratribus tam praesentibus quam futuris regularem vitam professis in perpetuum.

Ad hoc universalis ecclesiae cura nobis a provisore omnium bonorum Deo commissa est, ut religiosas diligamus personas et bene placentem Deo religionem studeamus modis omnibus propagare. Nec enim Deo gratus aliquando famulatus impenditur, nisi ex caritatis radice procedens, a puritate religionis fuerit conservatus. Ea propter, dilecti in Domino filii, vestris justis postulationibus clementer annuimus et praefatam ecclesiam in qua divino mancipati estis obsequio sub beati Petri et nostra protectione suscipimus et praesentis scripti privilegio communimus: Statuentes ut ordo canonicus secundum beati Augustini regulam, qui per Dei gratiam consilio et auxilio venerabilis fratris nostri Roberti episcopi nostri, et tuo, dilecte in Domino fili Roberte prior, labore et studio in eadem ecclesia noscitur institutus, perpetuis ibidem temporibus inviolabiliter conservetur.

Praeterea, quascumque possessiones quaecumque bona eadem ecclesia in praesentiarum juste et canonice possidet, aut in futurum concessione pontificum, largitione regum vel principum, oblatione fidelium seu aliis justis modis Deo propitio poterit adipisci, firma vobis vestrisque successoribus et illibata permaneant. Libertates seu immunitates ab episcopis sive regibus rationabili devotione ecclesiae vestrae concessas, auctoritate vobis apostolica confirmamus.

Obeunte vero fratre nostro Roberto episcopo vestro, nullus in ecclesia Sancti Andreae quae sedes episcopalis est, aliqua surreptionis astutia seu violentia praeponatur, sed quem vos communi consensu vel fratrum ecclesiae vestrae pars consilii sanioris secundum Dominum canonice provideritis eligendum.

Statuimus etiam, ut decedentibus Keledeis loco eorum regulares canonici auctore Domino subrogentur. Decrevimus ergo ut nulli omnino hominum liceat praefatam ecclesiam temere perturbare aut ejus possessiones auferre vel ablatas retinere, minuere aut quibuslibet vexationibus fatigare, sed omnia integra conserventur eorum pro

quorum gubernatione et sustentatione concessa sunt usibus omnimodis pro futura: salva sedis Apostolicae auctoritate et Episcopi Sancti Andreae canonica reverentia. Si qua ergo in futurum ecclesiastica secularisve persona, hanc nostrae constitutionis paginam sciens, contra eam temere venire temptaverit, secundo tertiove commonita, si non satisfactione congrua emendaverit potestatis honorisque sui dignitate careat reamque se divino judicio existere de perpetrata iniquitate cognoscat et a sacratissimo corpore et sanguine Domini Redemptoris nostri Jesu Christi aliena fiat atque in extremo examine districtae ultioni subjaceat. Cunctis autem eidem loco juste servantibus sit pax Domini nostri Jesu Christi, quatenus et hic fructum bonae actionis percipiant, et apud districtum judicem praemia aeternae pacis inveniant. Amen, Amen, Amen.

Fac mecum, Domine, signum in bonum, Sanctus Petrus, Sanctus Paulus, Eugenius Papa III.

Ego Eugenius catholicae ecclesiae episcopus S.S.

Ego Albericus Ostiensis episcopus S.S.

Ego Imarus Tusculanus episcopus S.S.

Ego Huhaldus presbiter cardinalis titulo Sanctorum Johannis et Pauli S.S.

Ego Gillebertus indignus sacerdos titulo S. Marci S.S.

Ego Hugo presbiter cardinalis titulo in Lucina S.S.

Ego Odo diaconus cardinalis S. Georgii ad Velum Aureum S.S.

Ego Johannes Paparo diaconus cardinalis Sancti Adriani S.S.

Ego Gregorius Sancti Auguli diaconus cardinalis S.S.

Ego Johannes diaconus cardinalis S. Mariae Novae S.S.

Ego Guido diaconus cardinalis S. Mariae in porticu S.S.

Dat. Altisiodori per manum Guidonis sanctae Romanae ecclesiae diaconi cardinalis et cancellarii, IIJ Kal. Sept. Indict. X, Incarnationis Dominicae anno MC.XLVII Pontificatus vero domini Eugenii III. pp. anno IIJ.

CLXXXII.

Agreement between the Bishop of St. Andrews and the Abbot of Dunfermline regarding the church of Eccles and the chapel of the Castle of Stirling, A.D. 1147-1150.

Registr. de Dunfermelyn, No. 4.

HAEC est concordia quae facta fuit apud Castellum Puellarum coram regem David et Henrico filio ejus et baronibus eorum inter Robertum episcopum Sancti Andreae et G. abbatem de Dunfermlin de ecclesia parochiali de Eccles et capella castelli de Struelin.

Recordati fuerunt barones regis et in hac recordatione omnes concordati sunt, quod ea die qua rex Alexander fecit capellam dedicare supradictam donavit et concessit eidem capellae decimas dominiorum suorum in soca de Struelin quae eadem die fuerunt dominia sua sive accreverunt sive decreverunt et praeterea consideraverunt quod ecclesia parochialis de Eccles habere debebat universas decimas quae proveniunt de hurdmannis et bondis et gresmannis cum ceteris consuetudinibus quas debent ecclesiae et qui mortui fuerint sive sint de mancipiis dominiorum sive de parochia supradicta, corpora eorum jaceant in cimiterio parochiali praenominato cum rebus quas debent habere mortui secum ad ecclesiam nisi forte fuerit quod aliquis de burgensibus aliquo subito casu ibi moriatur, et si dominia postea creverunt vel in sartis vel in fractura veteris terrae antea non cultae, decimas eorum habeat praedicta capella.

Si vero eodem modo creverunt terrae aliorum hominum parochialium, ecclesia parochialis decimas eorum habeat et si homines plures quam solebant dudum modo manent in dominio supradicto decimas eorum et omnium hominum quicumque illud excoluerint dominium habebit capella

et ecclesia parochialis habebit eorum corpora qui in dominio manent et si terrae quae tunc non fuerunt de dominio creverunt in mansuris hominum parochialis ecclesia eorum decimas habebit et hiis omnibus praedictis hominibus ipsa eadem omnes rectitudines christianitatis propter sepulturae dignitatem faciet.

Hiis praesentibus testibus G. episcopo Dunkelden, A. abbate Sanctae Crucis, W. abbate de Struelin, H. priore de Coldingh., O. priore de Jedd., O. priore Sanctae Crucis, et de laicis Duncano comite, Gospatrico com., H. constab., W. de Sumervile, David Olifard, W. fil. Alani, H. camer. Henric. fil. Swani et aliis multis.

CLXXXIII.

Confirmation by Earl Henry of the grant by Earl Gospatric of Ederham and Nesbit to the monks of Coldingham.

The original is in the Treasury at Durham.

HENRICUS Comes filius Regis Scotiae, Omnibus sanctae ecclesiae fidelibus praesentibus et futuris salutem.

Sciatis me concessisse et confirmasse ecclesiae Sanctae Mariae et Sancti Cuthberti de Coldingham et monachis ibidem Deo servientibus, donum quod Gospatricus comes frater Dolfini dedit praedictae ecclesiae et monachis, scilicet Hederham et Nesebitam in perpetuam elemosinam cum ecclesiis et aquis et pratis et pascuis et molendinis et omnibus aliis locis et cum eisdem rectis divisis quibus eas tenuit die qua fuit vivus et mortuus liberas et quietas cum omnibus libertatibus sicut cartae patris mei testantur et confirmant.

Testibus his Hernaldo Abbate de Chelcho, Osberno priore de Gedewrde . Engellario cancellario, magistro Laurentio et fratre ejus Helias et Normanno vicecomite et Willelmo de Lambertun et Baldano de Prendergest.

CLXXXIV.

Charter by King David granting to the Priory of May a toft in Berwick, A.D. 1147-1153.

Cartae Prior. de May, No. 2.

DAVID Rex Scotiae, Omnibus probis hominibus totius terrae suae salutem.

Sciatis me concessisse et dedisse ecclesiae de Mai et priori et monachis ejusdem loci ibidem Deo famulantibus quandam plenariam toftam in Beruwic in perpetuam elemosinam pro anima mea et animabus antecessorum et successorum meorum. Quare volo et praecipio quod ipsi praefatam toftam teneant adeo libere et quiete sicut aliqui vel abbates vel priores in tota terra mea elemosinas suas liberius et quietius tenent et homines qui in tofta illa manebunt liberi sint ab omni servitio et exactione.

Testibus Ernaldo abbate de Calchoh, Osberto priore de Jedewrt, Waltero cancellario, Hugone de Morvilla, Waltero filio Alani, Gilleberto de Umframvilla, Waltero de Bolebec. Apud Kyngor.

CLXXXV.

Confirmation by Robert, Bishop of St. Andrews, of the addition to the endowment of the church of St. Laurence at Berwick, A.D. 1147-1153.

Liber de Calchou, No. 445.

R[OBERTUS] Dei gratia Episcopus Sancti Andreae, Omnibus filiis sanctae ecclesiae salutem.

Notum sit tam posteris quam praesentibus me concessisse et auctoritate episcopali confirmasse ecclesiae Sancti Laurentii de Berewic in jus parochiae incrementum illud

quod abbas et conventus ecclesiae Sanctae Mariae de Kelcho predictae suae ecclesiae in perpetuam elemosinam dederunt et concesserunt scilicet decimas et rectitudines ceteras sanctae ecclesiae pertinentes carrucatae terrae quam habent in Berewic et piscationum quas habent in eadem villa et unius tofti quam habent in burgo. Volo itaque ut praedicta ecclesia decimas et rectitudines praefatas habeat et teneat jure parochiali sicut aliqua elemosina liberius et quietius ab aliqua possidetur ecclesia.

Praesentibus testibus Willelmo abbate de Struelyn, Osberto abbate de Edinburg, Osberto priori de Jedd, Toraldo archidiacono, Aiolfo decano, Nichol. clerico apud Edeneburge.

CLXXXVI.

Charter by King David to Alexander de St. Martin of the lands of Alstaneford, etc.

Acta Domin. Concilii, vol. xxxi., fol. 66-67.

DAVID Dei gratia Rex Scottorum, Omnibus hominibus totius regni sui clericis et laicis Francis et Anglis et Scottis praesentibus et futuris salutem.

Notum sit vobis me dedisse et concessisse et hac mea carta confirmasse Alexandro de Sancto Martino, Alstanefurde et terram quam Arkil tenuit per divisas quae sunt inter Hadingtoun et Alstanefurd, silicet Robedd'ne et sicut illa tendit ultra peteream usque ad metam quae dividit terram de Alstanefurd et de Garmeltun et de meta illa usque in rivulum qui tendit ad capud de Kipduf versus occidentem et illam partem terrae de Drem quam retinui in manu mea quum dedi Drem Cospatricio et ex capite de Kipduf per semitam quamdam quae vadit in Radepo et de Radepo per divisam quamdam quae ex transverso

versus Drem usque penes Drem et inde per divisam quamdam vadit in superiori parte terrae Roberti filii Galfridi usque ad terram de Fortona. Quapropter volo et praecipio quod praedictus Alexander et heredes sui has terras teneant de me et heredibus meis in feodo et hereditate bene et in pace libere et quiete et honorifice per servicium dimidii militis. Ego autem omni anno dabo ei de camera mea decem marcas argenti usque donec perficiam ei plenarium feodum unius militis.

Testibus Comite Dunecano, Hugone de Morevill, Waltero de Bidun, Waltero de Lindesi, Willelmo de Lindesi, Roberto Euenel, David Olifard, Waltero de Ridale, Radulfo de Sules, Nicholaio clerico, Galfrido de Mailuil. Apud Forfare.

CLXXXVII.

Confirmation by King David of the grant of Eversate to the church of St. Bees, by Matilda, the wife of Godardus, circa A.D. 1147.

Chartulary of St. Bees, Harl. 434, f. 26.

DAVID Rex Scottorum, Omnibus probis hominibus suis Couplandie Salutem. Sciatis me concessisse et hac mea carta confirmasse elemosinam quam Matildis uxor Godardi videlicet Euresate dedit Deo et ecclesiae Sanctae Bege et fratribus ibidem Deo servientibus libere et quiete ab omni seculari servicio sicut cartae Willelmi nepotis mei et Ade filii Sweni testantur. Testibus Waltero cancellario et Roberto de Bruis et Hugone de Moreuilla et Ada filio Sweni, et Willelmo Sumeruilla et Alano filio Waldef et H. filio Sweni et Willelmo de Heriz et Gospatrico filio Orm et Randulfo de Lindeseia et Durando milite. Apud Lamplon.

CLXXXVIII.

Grant by King David to the canons of St. Andrews of materials for building, circa A.D. 1148.

Registr. Prior. S. Andreae.

DAVID Rex Scotiae, Vicecomiti de Clacmanet salutem.

Praecipio tibi quatenus canonicis de Sancto Andrea et hominibus eorum facias habere materiem ad sua aedificia in nemore de Clacmanet ita ne ipsi disturbentur super meam defensionem.

Testibus Willelmo abbate de Struelin et Hugone de Moreuilla et Nicholao clerico. Apud Striuelin.

CLXXXIX.

King David's Charter to the Abbey of Jedburgh, A.D. 1147-1150.

Adv. Lib., 34. 3. 11.

EGO David Dei gratia Rex Scottorum divino instinctu pro salute animae meae et Henrici filii mei et antecessorum et successorum meorum, domum religiosis in villa de Jedwordie fundavi in qua canonicos regulares consilio et assensu venerabilis memoriae Joannis Episcopi ceterorumque episcoporum comitum et baronum meorum atque religiosorum virorum regni mei constitui. Quorum aliis necessariis in perpetuam elemosinam dono et hujus cartae meae attestatione confirmo monasterium de Jedword cum omnibus ad illud pertinentibus videlicet decimas villarum totius parochiae scilicet duarum Jedwordis et Langtoun, Nesbet, Craling Gospatrici vicecomitis, ipsius Gospatrici capellano ejusdem Cralingis praedicto monasterio concedente et testibus legitimis confirmante et in eadem villa unam carrucatam

terrae et dimidiam et tres acras cum duabus mansuris necnon et decimas alterius Craling villae Orme filii Gilasp̃. Et de Stramsburgh capellam [quae] fundata est super aquam Jedde in saltu nemoris contra Schorwinglen. Et decimam totius venationis meae in Theiudall. Omnes quoque redditus ad supradictum monasterium juste pertinentes, praeterea villas subscriptas viz. Ulmerstoun Almechine juxta Alvecromber et Cromseth et Raperlau cum rectis divisis suis ad easdem villas pertinentibus unam etiam mansuram in burgo meo Rothb̃ et unam mansuram in Berwick et ibidem unam aquam liberas solutas et quietas et Cadwardisly sicut ego eam perambulavi et divisas monstravi. Et animalium pascua prope nemora mea et ligna silvarum vel materiem ad sua necessaria ubi ego praeter illum locum qui vocatur Quikege et multuram molendini de omnibus hominibus Jedword ubi castellum est et unam salinam juxta Striviling. Volo itaque ac firmiter praecipio ut omnia quaecumque modo possident vel deinceps juste possessuri sunt ita libere et pure omni remota exactione supradicti canonici mei pace perpetua cum omnibus monasterii sui libertatibus et liberis consuetudinibus confirmatione et autoritate mea possideant sicut unquam aliqui canonici possessiones et libertates liberasque consuetudines sui monasterii seu quaelibet ecclesiastica jura liberius quietius atque honestius possident.

Hujus autem donationis et confirmationis meae testes et assentatores sunt hii viz. Henricus filius meus, Herbertus Glasguensis episcopus, Robertus episcopus de Sancto Andrea, Gillebertus episcopus Dunkeldensis, Andreas episcopus Catanensis, Arnold abbas Calc., Gaufridus abbas de Dumfermlin, Albyn abbas de Sancta Cruce, Comes Duneth, Hugo de Morvilla [constabularius], Radulph filius Dugall et multi alii.

CXC.

Charter by Earl Henry to the Abbey of Jedburgh, A.D. 1147-1152.

From Morton's Monastic Annals of Teviotdale.

In honorem Sanctae et Individuae Trinitatis, ego Henricus comes Northanhumbriorum canonicis patris mei quos in monasterio Sanctae Mariae de Jedworde constituit, in perpetuam elemosinam concedo et hujus cartae meae attestatione confirmo, donatum illis ab eodem patre meo praedictum monasterium de Jedworthe, cum omnibus ad illud pertinentibus videlicet decimas villarum totius parochiae, scilicet duarum Jeddword et Langton, Nesbyt, Creling Gospatricii vicecomitis, ipsius Gospatricii capellano ejusdem Creling praefato monasterio concedente et testibus legitimis confirmante et in eadem villa unam carrucatam terrae et dimidiam et tres acras cum duabus maisuris. Necnon et decimas alterius Creling villae Orm filii Eylav: et de Scrauesburghe, capellam etiam quae est in saltu nemoris et decimam totius venationis patris mei in Thevietdale: omnes redditus ad supradictum monasterium juste pertinentes.

Praeterea villas subscriptas Ulvestoun juxta Jedworthe, Alneclive juxta Alncromb, Cromseche Raperlaw, cum rectis divisis ad easdem villas pertinentibus, unam maisuram in burgo Roxburg et unam in Berewic, et ibidem unam aquam, liberas solutas ac quietas et Edwordisley sicut eam pater meus perambulavit et divisas monstravit, et animalium pascua ubi patris mei et ligna silvarum et materiem ad sua necessaria ubi pater meus, praeter illum locum qui vocatur Quikhege, et multuram molendini Jeddworde, ubi castellum est, de omnibus hominibus ejusdem Jeddworde et unam salinam juxta Strevelin.

Volo itaque et concedo ut omnia quaecumque modo possident aut deinceps juste possessuri sint ita libere et

pure, omni remota exactione, supradicti canonici patris mei cum omnibus monasterii sui libertatibus et liberis consuetudinibus pace perpetua possideant, sicut illis pater meus eadem beneficia carta et auctoritate sua, possidenda praecepit et confirmavit.

Testibus praesentibus Herberto Glasg. episcopo, Arnaldo abbate de Calco, Eng. cancellario, Adam capellano, Hugone de Morevilla, Thoma de Londoniis, Ranu. de Sola, etc.

CXCI.

Confirmation by Earl Henry to Beatrice de Belchaump of her lands of Roxburgh.

Registr. de Dryburgh, No. 145.

HENRICUS comes filius regis Scotiae, Episcopis abbatibus justiciariis baronibus vicecomitibus ministris et omnibus probis hominibus totius terrae suae Francis et Anglicis tam futuris quam praesentibus salutem.

Sciatis me concessisse et per praesens scriptum confirmasse Dominae Beatrici de Belchaump terras et tenuras suas de Rogesburgh quas ipsa de patre meo tenuit.

Volo itaque et praecipio quatenus illas terras et tenuras de me habeat et teneat libere et honorifice sicut ipsa de patre meo liberius et quietius tenuit. Testibus, etc.

CXCII.

Charter by Roger de Ov granting the church of Langtoun to the Abbey of Kelso.

Liber de Calchou, No. 138.

UNIVERSIS sanctae matris ecclesiae filiis et fidelibus Rogerus de Ov salutem.

Noverint omnes tam posteri quam praesentes me dedisse et hac carta mea confirmasse ecclesiae Sanctae Mariae de Kelkou et monachis ibidem Deo servientibus ecclesiam villae meae de Langtune cum omnibus pertinentiis suis in liberam et perpetuam elemosinam sicut Henricus ejusdem ecclesiae persona eam melius et plenius tenuit. Hanc autem ecclesiam dedi et concessi praefatae ecclesiae de Kelcho pro salute animae Comitis Henrici domini mei et pro salute animae meae et antecessorum et successorum meorum. Quare volo ut jam dicti monachi de Kelcho praefatam ecclesiam de Langtune libere et honorifice teneant in perpetuum et possideant sicut aliquam elemosinam liberius et quietius tenent et possident.

Hiis testibus G. decano de Fogghou, Hug. de Duns, Henrico persona de Langtune, Hug. de Ov, Thom. de Ov, Roberto filio Randulphi.

CXCIII.

Charter by Earl Henry granting to the Abbey of Kelso a toft in Berwick, A.D. 1147-1152.

Liber de Calchou, No. 29.

HENRICUS comes filius Regis Scotiae, Episcopis abbatibus justiciariis baronibus vicecomitibus ministris et omnibus suis hominibus Francis et Anglicis clericis et laicis totius terrae suae salutem.

Sciatis me dedisse et confirmasse Ernaldo abbati de Kalchou illam toftam Dodini de Berwic quae est super Twedam ad tenendum de me in feudo.

Volo itaque et firmiter praecipio quatenus illam praenominatam toftam teneat et habeat ita plenarie sicut praedictus Dodyn illam unquam plenarius tenuit et habuit et ita libere et quiete istam toftam de me teneat in feudo sicut possesssiones ecclesiae suae liberius et quiecius tenet in elemosinam.

Hiis testibus. . . .

CXCIV.

Confirmation by King David of the lands and rights of the Abbey of Kelso.

Liber de Calchou, No. 2.

DAVID Dei gratia illustris Rex Scottorum, Omnibus sanctae matris ecclesiae filiis et fidelibus salutem.

Notum sit omnibus praesentibus et futuris me fundasse dum fui comes quoddam monasterium in Selechirche ad abbathiam in honore Sanctae Mariae Virginis et Sancti Johannis Evangelistae pro salute animae meae et omnium antecessorum et successorum meorum. Sed postquam divina clementia post obitum fratris mei regis Alexandri successi in regnum, consilio et ammonicione venerabilis memoriae Johannis episcopi Glasguensis, aliorumque procerum meorum praedictum monasterium quia locus non erat conveniens abbathiae apud Roxburgum transtuli in ecclesia Beatae Virginis quae sita est super ripam fluminis Twede in loco qui dicitur Calkou, quam ecclesiam Robertus Sancti Andreae episcopus, in cujus erat episcopatu, pro Dei amore et meo concessit mihi et ejusdem loci ecclesiae abbati et monachis solutam et quietam ab omni subjectione et exactione liberam, ita scilicet ut abbas et monachi supradictae ecclesiae a quocumque episcopo voluerint in Scocia vel in Cumbria crisma suum et oleum et ordinationem ipsius abbatis et monachorum et cetera ecclesiae sacramenta accipiant.

Ego vero huic ecclesiae in elemosinam perpetuam donavi villam de Kelchu cum suis rectis divisis in terris et in aquis solutam et quietam et ab omni exactione liberam et quotienscunque in eadem ecclesia in solemnitatibus vel in aliis diebus servitium Dei audiero omnes offerendas meas et omnium qui mecum erunt perpetue dedi in elemosinam. Et in Edinham de molendino XIJ celdr. de brasio

quolibet anno, et de mora de Edynham ad fodiendum cespites ad faciendam ignem a quodam fossato quod descendit de quadam alia mora transiendo recto tramite illam moram usque ad tres magnos lapides ex altera parte existentes. Et in burgo de Roxburge XL solidos de censu unoquoque anno et omnes ecclesias et scolas ejusdem burgi cum omnibus earum pertinentiis et unum toftum juxta ecclesiam Sancti Jacobi et alterum in novo burgo et terram quae fuit Gauterii Cymentarii et in molendinis XX celdr. inter farinam et frumentum et septimam partem piscaturae et in Sprouistona unam carrucatàm terrae et X acras et maisuras carrucatae pertinentes et tres acras de prato et ecclesiam ejusdem villae et terram ecclesiae pertinentem, Domino Johanne episcopo Glasguensis simul dante et episcopali auctoritate confirmante. Et villam Rauedene sicut unquam in meo dominio eam melius habui in terris et in aquis in pasturis de Sproustone et moram ad fodiendum turvas communes hominibus de Reuedene sicut hominibus de Sprouistone et in Berewyce unam carrucatam terrae et unam maisuram carrucatae pertinentem juxta ecclesiam Sancti Laurencii et alteram maisuram in burgo et XL solidos de censu ejusdem burgi unoquoque anno et dimidiam partem unius piscaturae quae vocatur Berewyck-streem et septimam partem molendinorum. Et villam de Middelham et Bouldene sicut unquam melius habui in terris et in bosco in aquis et in plano et XXXta acras terrae de territorio Lyllesclefe inter Alnam et rivulum qui dividit terram de Myddilham et de Lyllescleue et decimam molendini ejusdem villae scilicet Lyllescleue et Wythelawe cum suis rectis divisis sicut eam melius habui in meo dominio. Et terram de Selkyrke sicut rivulus descendens a montibus currit in Gierwa usque ad rivulum illum qui descendens de Crossanesmer currit in Twede et ultra eundem rivulum qui cadit in Gieruuam, quandam particulam terrae inter viam quae venit de castello et super veterem abbatiam cadit in eodem rivulo et Gierwam

et veterem villam sicut unquam melius habui in terris et in bosco in aquis et in plano. Et aquas meas circa Selekirke communes ad piscandum suis propriis piscatoribus ut meis et pasturas meas communes suis hominibus ut meis et boscos meos domibus suis faciendis et ad ardendum ut mihi et Treuenlene cum suis rectis divisis sicut Vineth eam melius et plenius tenuit et habuit et craggam ejusdem villae sicut dominus Alfwynus Sanctae Crucis et Arnoldus abbas de Kalchou se adinvicem concordaverunt de quadam calumpnia quae fuit inter eos de ipsa Cragga coram hiis testibus R. abbe de Neubotil et aliis.

Hanc autem Treuenlene dedi praedicta ecclesia de Kelchou in escambium x libratarum terrae quam habuerunt in Hardingesthorne juxta Northamtone quam mihi accomodaverunt ad meum magnum negotium. Et in Renfriu unum toftum et unam navim et piscaturam unius retis solutam et quietam et ab omni exactione liberam.

Et decimam animalium et porcorum et caseorum de can de quatuor cadrez de illa Galweia quam vivente rege Alexandro habui per unumquemque annum, et decimam caseorum de Tweddal similiter per unumquemque annum, et medietatem coquinae meae de omnibus occisionibus meis omniumque successorum meorum ita ut ubicunque unum corium habuero, habeant monachi et alium et similiter de unctis et sepiis sicut de coreis et omnes pelles arietum et agnorum et decimam coriorum cervorum et cervarum quas velt[a]rii mei capient. Hos autem redditus coquinae meae et occisionum mearum dedi eis per illam terram tantum quam vivente rege Alexandro habui. Et in Karsah unam salinam.

Et haec omnia supra dicti monasterii abbati et monachis ita libere et pacifice jure perpetuo possidendo confirmavi ut mihi succedentium nullus nihil omnino solas orationes ad animae salutem de supradicta ecclesia exigere praesumat.

Hiis testibus Henrico filio regis et aliis.

Et praeterea ecclesiam de Selkirke liberam et quietam sicut elemosina debit dari et concedi ita scilicet quod praedicti abbates sint capellani mei et filii mei et successorum meorum de praedicta ecclesia.

CXCV.

Charter by Earl Henry granting to the Church of St. John in the Castle of Roxburgh a ploughgate of land and a toft in Roxburgh, etc., A.D. 1147-1152.

Registr. Epis. Glasguensis, No. 5.

HENRICUS comes filius Regis Scotiae, Omnibus fidelibus suis et universis sanctae ecclesiae filiis salutem.

Sciant tam posteri quam praesentes me concessisse et confirmasse in perpetuum et libere sicut rex pater meus antea dedit et concessit ecclesiae Sancti Johannis de Castro de Rokesburge unam carrucatam terrae de dominico meo de Rokesburge et unum plenarium toftum cum omnibus consuetudinibus suis et unam mansuram terrae infra castrum et totam oblationem illorum qui manent vel residentes sunt in castro et quartam partem oblationis meae et uxoris meae et familiae meae quum fuerimus in castro et decimam totam virgulti mei et totam decimam partis meae de sepo occisionis meae quae fit in Teuiedesdale et haec omnia ita libere concedo praedictae ecclesiae sicut elemosina potest concedi liberius ecclesiae.

Testibus Episcopo Herberto, et Arnaldo abbate, Waltero cancellario, Engelramo cancellario, Hug de Moreuille constabulario, et Comite Gospatrico, Willelmo de Sumerville, Waltero filio Alani, Roberto filio Turet, Gervasio Ridel, Willelmo Masculo, Waltero de Ridale. Apud Traueqayr.

CXCVI.

Charter by Uctred son of Liulf, granting the church of Molle to the Abbey of Kelso.

Liber de Calchou, No. 176.

NOTUM sit omnibus praesentibus et futuris quod ego Uctredus filius Liulfi ecclesiam de Molle pro salute animae meae et antecessorum meorum et dominorum meorum David Regis et Henrici comitis, ecclesiae Sanctae Mariae de Kelcho in perpetuam dedi elemosinam cum terra adjacenti sicut ego Uctredus et Aldredus decanus perambulavimus eam silicet ab Hulaues hou usque ad rivum ejus et a rivo per Hulaues hou usque ad vadum Bolbent contra ecclesiam et a vado illo sursum versus usque ad Hulaues hou et inde per viam usque ad Hunedune et inde usque ad capud rivi Hulaues hou.

Concedo et communem pasturam Molle villae meae cum aisiamentis ita libere et quiete tenendam de me et heredibus meis sicut aliqua ecclesia aliquam elemosinam liberius et quietius possidet.

Hiis testibus Hug. de Moruile, Ricardo filio ejus, David Olifard, Willelmo de Sumervile, Willelmo de Moruile, Horm filio Eilaf, Edmundo de Macheswel, Aldredo decano, Gamel de Foghou et aliis.

CXCVII.

Confirmation by Herbert, Bishop of Glasgow, of the grant by Uctred son of Liulf, of the church of Molle to the Abbey of Kelso.

Liber de Calchou, No. 416.

HERBERTUS Dei gratia Glasguensis episcopus, Omnibus Sanctae Matris ecclesiae filiis salutem.

Sciatis me concessisse et episcopali auctoritate confirmasse donationem ecclesiae de Molle quam Ucteredus filius Liolfi pro salute animae suae in perpetuam elemosinam dedit et concessit ecclesiae de Kelchou fratribusque ibidem Deo servientibus cum terris et parochiis et omnibus rectitudinibus eidem ecclesiae pertinentibus sicut carta ipsius Ucteredi testatur, salvis rectitudinibus et consuetudinibus episcopalibus.

His testibus Aldredo decano, Salomone clerico, Helia clerico, et Nicholao clerico.

CXCVIII.

Charter by King David to Nicolas the cleric, A.D. 1147-1153.

Regist. de Dryburgh, No. 158.

David Rex Scotiae, Episcopis abbatibus comitibus vicecomitibus baronibus justitiariis ministris et omnibus probis hominibus totius regni sui salutem.

Sciatis me dedisse et concessisse Nicholao clerico viginti solidos in carrucata illa quam Petrus filius Valteri de Strevelyn de me tenet in Hedinham et praeter hoc dimidiam marcam in illa dimidia carrucata terrae quam Tebaldus de Norham de me tenuit in eadem villa ita ut illi praedicto Nicholao firmam illam reddant sicut mihi reddere solebant.

Has itaque praedictas duas marcas do ei et concedo et per cartam praesentem confirmo in escambio illarum duarum marcarum quas in Bellestlene Ucteredi sacerdotis ex dono episcopi Johannis eidem Nicholao concesseram et confirmaveram ita libere et quiete ab omni servitio et consuetudine sicut carta ipsius Johannis testatur se ei praedictas duas marcas dedisse et concessisse, etc.

CXCIX.

Charter by King David granting the right of forest in Annandale to Robert de Brus, A.D. 1147-1153.

The original is in the Archives of the Duchy of Lancaster.

DAVID Rex Scottorum, Omnibus probis hominibus totius terrae suae Francis et Anglis et Galweensibus salutem.

Sciatis me dedisse et concessisse Roberto de Brus in feudo et hereditate illi et heredi suo in foresto, vallum de Anant ex utraque parte aquae de Anant sicut divisae sunt a foresto de Seleschirche quantum terra sua protenditur versus Stradnit et versus Clud, libere et quiete sicut aliud forestum suum tenetur melius et liberius. Quare defendo ne ullus venetur in praedicto foresto nisi per ipsum super forisfactum decem librarum et ne ullus eat per praedictum forestum nisi recta via nominata.

Testibus Waltero cancellario, et Hugone de Morevilla, et Waltero filio Alani, et Odenello de Umframvilla, et Waltero de Lindeseia, et Ricardo de Morevilla. Apud Stap . . . rtune.

CC.

Fragment of a Charter by the Bishop of Glasgow to Robert de Brus (? ante A.D. 1147).

Archives of the Duchy of Lancaster. Cartae Miscell., No. 55.

. . . asc epc., Omnibus filiis sanctae ecclesiae totius parochiae suae salutem et . . . quam praesentes me dedisse et concessisse Rodberto de Brus in feudo et in . . . heredibus suis terram ecclesiae Glasguensis de Stratanant ad tenendum de . . . et honorifice et quiete sicut unquam pater suus liberius et honorificentius . . . terram de me tenuit.

Teste David Rege, Henrico filio . . ., Dunecan, Hugone de Morville, Willelmo filio Turgis, Randulfo de Sules, Willelmo. . . . Apud Carliol.

CCI.

Mandate by King David that no can nor toll be taken from the monks of May,

A.D. 1147-1153.

Cartae Prioratus de May, No. 6.

DAVID Rex Scotiae, Vicecomitibus praepositis ministris et omnibus hominibus totius terrae suae salutem.

Praecipio ubicumque prior de Mai aut aliquis suorum fratrum aut clientium domus de Mai venerint cum rebus domus de Mai quatenus sint quieti de cano et tolneio per totam terram meam et ut licentiam habeant vendendi proprias res suas et emendi necessaria domus.

Praeterea defendo ne ullus eis aut rebus eorum super meum forisfactum forisfaciat.

Testibus Herberto episcopo de Glascu et Andrea episcopo de Cataneis et Ernaldo abbate de Chegho. Apud Strivelin.

CCII.

Mandate by King David for payment of tithe to the monks of Rindelgros, A.D. 1147-1153.

Cartae Prioratus de May, No. 7.

DAVID Rex Scotiae, Omnibus hominibus totius vicecomitatus de Pert salutem.

Mando vobis et firmiter praecipio quatenus detis monachis de Rindelgros decimas vestras in blado et caseo et in rebus omnibus in quibus decimas dare debetis ne illas super meam defensionem detineatis.

Testibus Duncano comite et Waltero cancellario. Apud Scone.

CCIII.

Charter by King David granting to the Abbey of Dunfermline a toft in the burgh of Haddington, A.D. 1147-1153.

Registr. de Dunfermelyn, No. 11.

DAVID Rex Scottorum, Episcopis abbatibus comitibus baronibus vicecomitibus praepositis ministris et omnibus probis hominibus totius terrae suae salutem.

Sciatis me pro salute animae meae et antecessorum meorum abbati de Dunfermline et fratribus ibidem Deo servientibus unum plenarium toftum in burgo meo de Hadigtun dedisse libere et quiete ab omni consuetudine et servitio sicut praedictus abbas tenet aliquod toftum melius et liberius per burgam meam.

Testibus GG. episcopo de Dunkeld et Galtero cancellario et Duncano comite et Thoro vicecomite et Alfwyno. Apud Edenburg.

CCIV.

Charter by King David granting Ketlistoun to the Abbey of Stirling, A.D. 1147-1153.

Chartulary of Cambuskenneth, No. 170.

DAVID Rex Scottorum, Episcopis abbatibus comitibus baronibus et omnibus hominibus totius terrae suae salutem.

Sciatis me concessisse et dedisse abbati de Striueling et canonicis ibidem Deo servientibus pro salute animae meae et antecessorum meorum, Ketlistoun per suas rectas divisas in perpetuam elemosinam libere et quiete ab omni seculari servitio sicut alias terras tenent quas de me habent.

Testibus Waltero cancellario et Hugone de Moreuilla et Dufoc vicecomite de Striueling et Alfwyno et Petro clerico. Apud Kynross.

CCV.

Charter by King David granting to Nicolas, his cleric, the right of forest in Pettinain, A.D. 1147-1153.

Registr. de Dryburgh, No. 48.

DAVID Rex Scottorum, Episcopis abbatibus comitibus justitiariis baronibus vicecomitibus praepositis ministris et omnibus probis hominibus totius terrae suae salutem.

Sciatis me dedisse et concessisse et hac mea carta confirmasse Nicholao clerico meo et successoribus ejus totum nemus quod est infra divisas illius terrae quam Syrand sacerdos tenuit de me ante eum in Paduenane in firmam forestam et ideo prohibeo super forisfactum XL solidorum ut nullus omnino venetur in eo aut aliquid ibi molestiae ei vel successoribus ejus faciat nisi per licentiam et benevolentiam eorum.

Testibus . . .

CCVI.

Charter by Robert, Bishop of St. Andrews, granting the church of Karreden to the Abbey of Holyrood, circa A.D. 1148.

Charters of Holyrood, No. 9.

RODBERTUS Dei gratia humilis minister ecclesiae Sancti Andreae, Omnibus sanctae matris ecclesiae filiis salutem et episcopalem benedictionem.

Sciant omnes tam praesentes quam futuri me dedisse et praesentis cartae munimine confirmasse ecclesiae Sanctae Crucis de Edenesburch et canonicis ibidem Deo servientibus ecclesiam de Karreden cum duobus carrucatis terrae et cum omnibus ad eam juste pertinentibus scilicet in

decimis in pratis in pascuis in molendinis et in omnibus aliis rectitudinibus suis, ita libere et ex omni exactione quietam sicut aliquam in tota diocesi nostra ecclesiam liberius et quietius possident.

His testibus Gaufrido abbate de Dunfermelin, Alwredo abbate de Striuelin, Rodberto priore de Sancto Andrea, Samsone et Alano monachis Dunelmi, T. archidiacono, Aiulfo decano, Gaufrido de Laswade, Magistro Andrea, Adam et Ricardo capellanis episcopi, Gaufrido clerico, Petro de Striuelin, et plenaria synodo.

CCVII.

Charter by King David to the monks of the Isle of May granting the moiety of Ballegallin, circa A.D. 1150.

Cartae Prioratus de May, No. 3.

DAVID Rex Scotiae, Episcopis abbatibus comitibus justitiariis baronibus vicecomitibus et omnibus hominibus totius terrae suae salutem.

Sciant tam posteri quam praesentes me pro salute animae meae dedisse et concessisse Deo et ecclesiae Omnium Sanctorum de Mai et fratribus ibidem Deo servientibus dimidium Balegallin sicut Gillecolm Mac chinbethin et Machet Mac Torfin et Malmure Thein de Chellin eis praedictam terram proiverunt libere et quiete ad tenendum de me et de heredibus meis sicut ulla elemosina in terra mea tenetur melius et liberius quamdiu conventus monachorum in Mai fuerit.

Praeterea do eis et concedo communem pasturam in Sira de Chellin et in Sira de Cherel et per totam terram meam ita ne ullus pro pastura eos aut pecuniam eorum super meum forisfactum laboret aut disturbet.

Testibus Gregorio episcopo de Dunchelden et Andrea episcopo de Cataneis et Willelmo Giffard et Dunecano comite et Alwino filio Archil. Apud Dunfermelin.

CCVIII.

Mandate by King David to permit the monks of Dunfermline to have material for building, circa A.D. 1150.

Registr. de Dunfermelyn, No. 21.

DAVID Rex Scottorum, Vicecomitibus praepositis et omnibus ministris suis salutem.

Praecipio vobis quatenus ecclesiae Sanctae Trinitatis et ad opus monachorum de Dunfermline permittatis habere materiem in nemoribus meis ad omnia sua necessaria.

Testibus Andrea episcopo de Katenes et Waltero cancellario et Duncano comite. Apud Dunfermelyn.

CCIX.

Confirmation by King David of all the lands and rights and privileges of the Abbey of Dunfermlin, circa A.D. 1150.

Registr. de Dunfermelyn, No. 2.

IN nomine Sanctae Trinitatis, Ego David Dei gratia Rex Scottorum auctoritate regia ac potestate, Henrici filii mei assensu et Matildis Reginae uxoris meae, episcoporum comitum baronumque regni mei confirmatione et testimonio, clero etiam adquiescenteque populo, ecclesiae Sanctae Trinitatis [de] Dunfermeline, praedecessorum

meorum pietatis studio et largitionis initiatae omnia subscripta concedo et pace perpetua confirmo. Patris itaque et matris meae dona subsequentia, propono, haec scilicet Pardusin, Petnaurcha, Pettecorthin, Petbaclachin, Lauar, Bolgin, Schiram de Kirkaladinit, Inveresc minorem.

Dona Duncat fratris mei, duas villas nomine Luschar. Dona Eadgari fratris mei, Schiram de Gellald. Dona Ethelredi fratris mei, Hales. Dona Alexandri Regis fratris mei, Primros, Schiram de Gatemilc, Petconmarchin Balcherin, Drumbernin, Keth. Dona Sibillae Reginae, Beeth. Et haec praedicta praedecessorum meorum dona concedo liberaliter praefatae ecclesiae in perpetuum cum omnibus suis appendiciis et rectis divisis.

Dona denique propria subsequuntur, Dunfermelin citra aquam in qua eadem ecclesia sita est, Kingoren cum suis appendiciis qui propinquior est Dunfermelin, Foet, Inveresc majorem et molendinum et piscinam et Smithetun et Crefbarrin et ecclesiam de Infresc et Wymet cum suis rectis divisis, Fotheros juxta Sanctum Andream cum suis rectis divisis et Pethenach cum suis rectis divisis et unam carrucatam terrae, Petioker.

Praeterea do et concedo assensu Henrici comitis filii mei pro salute animarum nostrarum et antecessorum nostrorum in perpetuam elemosinam Nithbren cum suis appendiciis et Belacristin cum suis rectis divisis in pratis et pascuis excepta rectitudine quam keledei habere debent, cum omnibus rebus ad eas juste pertinentibus, sicut datae fuerunt praedictae ecclesiae in dotem die qua dedicata fuit. Praeterea do eidem ecclesiae unam mansuram in Berwich aliam in Rokesburc aliam in burgo de Hadingtun aliam in Edenburg aliam in Linlithcu aliam in burgo de Striuelin et in eadem villa duas ecclesias et unam carrucatam terrae quae adjacet ipsi ecclesiae et omnem decimam meorum dominiorum in frugibus et in animalibus et in piscibus de propriis retibus et etiam in denariis et decimam mei can totius castrensis provinciae et man-

siones Rogii presbiteri, ita plene sicut ipse sanus et incolumis tenuit, et unum rete et dimidium et unam mansionem in burgo Dunfermelin liberam et quietam et omnem decimationem denariorum firmae burgi et decimationem molendini et de omnibus dominiis meis de Dunfermelin et unam mansionem in burgo de Pert et ecclesiam ejusdem villae et unam mansionem quae pertinet ipsi ecclesiae et omnem decimam de dominio meo.

Omnia autem dona praedicta ita liberaliter et quiete praefatae ecclesiae concedo, sicut ego terras meas proprias possideo, defensione regni mei excepta et regali justitia si abbas in curia sua aliqua negligentia de justitia deciderit.

Concedo et omnem octavam partem de omnibus placitis et lucris meis de Fif et de Fotherif et omnem decimam totius mei can et brasei de Fif et de Fotherif exceptis rectitudinibus quae abbatiae Dunkeldensi pertinent, et decimam omnium venationum quae capiuntur inter Lambremor et Tay et medietatem coriorum et seporum et sagiminis omnium bestiarum quae occidentur ad festivitates tenendas in Striuelin et inter Forth et Tay. Concedo et ut habeant in nemoribus meis omnia necessaria ad ignem et ad aedificia sua sicut mihi ipsi et hominibus eorum sicut et meis.

Volo denique ut omnes oblationes quae ad majus altare ejusdem ecclesiae offerentur sine calumpnia liberaliter habeant et de selichis qui ad Kingorne capientur postquam decimati fuerint, concedo ut omnes septimos selichis habeant. Salis et ferri quod ad opus meum ad Dunfermelin allata fuerint omnem decimam concedo.

Praeterea pater meus et mater mea dederunt ecclesiae Sanctae Trinitatis parochiam totam Fothrif et sic concedo, denique do et concedo in elemosinam in perpetuum ecclesiae Sanctae Trinitatis tractum de Aldestelle et omne quod juste ei pertinet tractus isti datus est scilicet in Berwich liber et quietus. Praeter haec et prohibeo ne aliquod namum capiatur super terram vel

super homines Sanctae Trinitatis pro forisfacto alicujus nisi pro proprio forisfacto illorum. Concedo et quod juste reddantur ecclesiae S. Trinitatis omnes servi sui quos pater meus et mater mea et fratres mei ei dederunt et omnes sui cumerlache a tempore Edgari Regis usque nunc cum tota pecunia sua ubicunque inveniantur et prohibeo super meum forisfactum ne injuste retineantur. Concedo abbati et monachis ut habeant omnes homines cum omni pecunia eorum in cujuscumque terra fuerint, qui fuerunt in terris die qua oblatae et datae ecclesiae Sanctae Trinitatis fuerunt.

Concedo praefatae ecclesiae decimam de omnibus meis [silvestribus] equabus de Fif et de Fotherif. Concedo abbati et monachis ut habeant per totam terram meam theloneum quietum de cunctis rebus quas mercati fuerint ad propria eorum necessaria. Praeter ista supradicta dono et concedo abbati et monachis ut habeant singulis annis V marcas argenti ad vestimenta eorum de primis navibus quae venient ad Striuelin vel ad Pert.

Concedo et ecclesiae Sanctae Trinitatis passagium et navem de Inverkethin, sicut habui in meo dominio et tali conditione quod peregrinantes et nuntii ad me venientes et a me redeuntes et homines curiae meae et filii mei transeant in eadem navi sine pretio. Et si contingat aliqui istorum sine pretio transire non posse et abbas inde clamorem audierit et illud non emendaverit ut ego ipse illud emendare sine abbatis et fratrum ecclesiae molestia possim.

Concedo et volo quatenus abbas vel monachi ecclesiae Sanctae Trinitatis non respondeant alicui calumpnianti de hominibus qui fuerunt in terris die qua oblatae et datae fuerunt ecclesiae Sanctae Trinitatis. Concedo et ecclesiae Sanctae Trinitatis decimam totius mei can de Clamanan. Abbas et monachi ecclesiae Sanctae Trinitatis citra Lambremor in tota regia potestate singulis sabbatis in curia habent unum corium et in sexto sabbato habent duo coria et

duas partes de sepo et sextam pellem arietum et agnorum. Et concedo eidem ecclesiae dimidiam partem decimi mei de Ergaithel et de Kentir, eo scilicet anno quum ego ipse unde recepero can. Supra taxatam autem ecclesiam cum omnibus quae Dei dante clementia in praesenti sicut praesens testatur privilegium et obtinet et in futuro eadem adquirere clementia valebit, in summae pacis tranquilitate et ab omni liberrima tam secularis quam ecclesiasticae potestatis subjectione et exactionis inquietudine permanere decernimus excepta sola et canonica obedentia quae debet unaquaque matris suae per orbem ecclesia. Concedo et praenominatae ecclesiae quandam piscaturam apud Pert ita libere et quiete sicut meas ibi habeo. Cujus et jura in hoc privilegio praenotata et dignitatis privilegia inmutilata servare et stabilitate perpetua firmare, nos vero praesentes sumus successoribus nostris sub hac conditione confirmando mandamus et mandando confirmamus ut siquis ea perturbare voluerit et nostrae defensionis statuta divellere imminuere ac violare contenderit, non ignoret se contra ipsum mundi Salvatorem niti et ideo nisi resipuerit aeternae dampnationis sententiam incurrere eumque Dominus de libro vitae deleat qui ecclesiae praefatae de concessae potestatis jure aliquod abstulerit.

Amen. Fiat, Fiat.

✠ Ego Rodbertus Sancti Andreae episcopus confirmo.

✠ Ego GG. Dunkeldensis episcopus confirmo.

✠ Ego Andreas Katinensis episcopus confirmo.

Hujus et privilegii testes et assertores sunt Walterus cancellarius, Duncanus comes, Hugo de Morevilla, Walterus de Lyndesei, Robertus Avenel, Walterus Ridel, Herbertus camerarius, Nicholaus clericus, Alwynus filius Arkil, Ewen marescallus, Gillecolmus Mac Chimpethin, Macbeth Mac Torfin, Mereuin filius Colbain.

CCX.

Charter by King David declaring the canons of Stirling to be free of toll and customs, circa A.D. 1150.

Chartulary of Cambuskenneth, No. 215.

DAVID Dei gratia Rex Scottorum, Justitiis baronibus vicecomitibus praepositis et omnibus probis hominibus suis futuris quam praesentibus totius terrae suae salutem.

Praecipio quod canonici de Striueling et eorum dominici homines sint quieti de tholoneo et de omnibus rectitudinibus et consuetudinibus ubicunque venerint in tota terra mea.

Volo etiam et firmiter praecipio quatenus juste habeant meam firmam pacem ubicunque inter vos fuerint vel venerint.

Testibus Herberto camerario et Randulfo de Sulis. Apud Chinross.

CCXI.

Confirmation by Robert, Bishop of St. Andrews, of the grants by Hugo de Moreville and Beatrix de Bello Campo to the Abbey of Dryburgh, circa A.D. 1150.

Registr. de Dryburgh, No. 14.

ROBERTUS Dei gratia Sancti Andreae episcopus, Omnibus Dei fidelibus salutem.

Sciatis me canonice religionis intuitu ecclesiam Sanctae Mariae de Dryburgh quam Hugo de Moravilla fundavit et canonicos ibidem Deo servientes in plena et Sancti Andreae et mea benedictione recepisse et quantum ad

episcopum pertinet concessisse et per hanc meam cartam ad ejusdem Hugonis petitionem confirmasse omnes elemosinas et donationes quas ipse et Beatrix de Bello Campo sponsa ejus ad eorum sustentationem assignaverunt et dederunt in liberam et perpetuam elemosinam pro salute animarum suarum scilicet ipsum locum et terram et aquas et piscationes adjacentes et ecclesias terrarum suarum in episcopatu meo quando personae decesserint qui modo eos tenent et omnia alia beneficia quae eisdem fratribus contulerunt sicut in eorum cartis continetur.

Quare vobis et eisdem concedo et confirmo ut has elemosinas perpetuo libere et quiete et plenarie teneant et possideant sicut aliqua domus religionis aliquam elemosinam liberius et quietius in episcopatu Sancti Andreae tenet et possidet salvo jure episcopali.

Testibus, etc.

CCXII.

Charter by Robert, Bishop of St. Andrews, regarding the chapel of Newton, circa A.D. 1150.

The original is in the Treasury at Durham.

ROBERTUS Dei gratia Sancti Andreae episcopus, Universis sanctae matris ecclesiae filiis qui in diocesi sua sunt salutem et episcopalem benedictionem.

Sciatis quia haec conventio facta est inter matrem ecclesiam de Hedenham et capellam de Neuetun coram me et Hugone constabulario scilicet quod ipsa mater ecclesia debet habere omnes decimas suas et universas rectitudines de Neutun et quod monachi de Coldigham quorum est ipsa mater ecclesia, faciant cantari missam apud capellam tribus diebus septimanae et in Natali Domini et Purificatione in diebus Tenebrarum et in Pasca in Rogationibus et in die Sancti Cuthberti veniant ad matrem ecclesiam suam. Quod si homines de Neutun quicquam

forisfecerint de decimis sive de aliis rectitudinibus contra matrem ecclesiam suam causa hujus capellae cesset divinum officium ab ipsa capella donec matris ecclesiae suae fuerit reconciliata.

Testibus Turoldo archid., Aulfo capellano et Radulfo capellano et Suano et Goscelino presbiteris et Roberto clerico.

CCXIII.

Charter by Robert, Bishop of St. Andrews, regarding Ederham and Nesbit, A.D. 1150.

The original is in the Treasury at Durham.

OMNIBUS sanctae matris ecclesiae fidelibus clericis et laicis tam praesentibus quam futuris, Rodbertus Dei gratia Sancti Andreae episcopus salutem.

Notum sit omnibus quod nos concessimus et quantum ad episcopalem auctoritatem pertinet praesentis cartae attestatione et munimine confirmavimus donationem illam quam Gospatricus frater Dolfini concessit et dedit in perpetuam elemosinam Deo et Sancto Cuthberto et monachis ipsius, scilicet Hederham cum ecclesia et villa quae dicitur Nesbit cum aquis pratis pascuis et molendinis et omnibus aliis rebus quae ad easdem villas pertinent sicut carta Regis et carta Gospatrici testantur. Notum quoque sit vobis omnibus quod nos episcopali auctoritate et praesentis cartae munimine concessimus et confirmavimus Deo et Sancto Cuthberto et monachis ipsius, ecclesiam de Swintun et ecclesiam de Fiswic in perpetuam elemosinam et hoc fecimus prece et consilio venerabilium fratrum nostrorum Rodberti prioris Sancti Andreae, Thomae prioris de Scona, Osberti prioris de Gedewrtha, Osberti prioris de Sancta Cruce, Adae capellani regis de Rochesburh & multorum aliorum nobiscum residentium in synodo quae sedit apud Berwic VIIJ kal. Novembris anno ab incarnatione Domini M°.C°.L°.

CCXIV.

Grant by Thor to the Abbey of Holyrood of the church of Tranent, circa A.D. 1150.

Charters of Holyrood, No. 11.

THORUS filius Swani, Omnibus amicis suis et dominis salutem.

Sciant tam posteri quam praesentes me consilio et concessu heredum meorum dedisse et concessisse pro salute animae meae et antecessorum meorum in perpetuam elemosinam Deo et ecclesiae S. Crucis de Edenesburc et fratribus ibidem Deo servientibus totum illud donationis quod videbar habere in ecclesia de Treuernent in terris et pascuis et decimis, libere et quiete ab omni seculari dominatione et exactione et praeter illa quae antecessores mei praedictae ecclesiae de Treuernent contulerunt do et concedo et per praesentem cartam confirmo praedictae ecclesiae duas domos cum duabus toftis praedictis canonicis cum praefata ecclesia in perpetuam elemosinam confirmatas, filiis meis mecum praedicta omnia concedentibus et confirmantibus.

His testibus Willelmo Morauensi episcopo, Osberno abbate de Jaddeuurd, Thor. arch., Aiolf. decano, Nicholao clerico regis, Neis filio Chiluni, Ædmundo filio Forn, Bernardo filio Tocce, Gilandrea ejus dapifero, Ædmundo de Fazeside, Alden.

CCXV.

Charter by Hugo de Moreville granting the church of Worgis to the church of St. Mary at Dryburgh, circa A.D. 1150.

Registr. de Dryburgh, No. 68.

HUGO de Morevilla, Omnibus amicis suis et hominibus probis suis tam futuris quam praesentibus salutem.

Sciatis me dedisse et hac mea carta confirmasse Deo et ecclesiae Sanctae Mariae de Driburgh et fratribus ibidem Deo servientibus pro anima patris mei et pro salute animae meae, ecclesiam de Worgis cum omnibus pertinentiis suis in perpetuam elemosinam ita libere et quiete sicut aliqua elemosina potest liberius et quietius concedi et teneri.

Testibus, etc.

CCXVI.

Charter by Hugo de Moreville granting half a ploughgate of land in Newtoun to the church of St. Mary at Dryburgh, circa A.D. 1150.

Registr. de Dryburgh, No. 201.

OMNIBUS Christi, etc., Hugo de Morevill salutem.

Noverit universitas vestra me dedisse et concessisse et praesenti carta mea confirmasse Deo et Sanctae Mariae de Driburgh et canonicis ibidem Deo servientibus pro salute animae meae et praedecessorum meorum dimidiam carrucatam terrae in territorio de Newtoun scilicet quam Willelmus senescallus meus tenuit ab occidentali parte de Derestrete in longum et latum juxta metas et divisas de Thirlestan quae coram abbate de Driburgh et me et probis hominibus factae sunt, in puram et perpetuam elemosinam, tenendam liberam et quietam a multura et ab omni consuetudine firma et servitio seculari cum communi pastura quatuor bobus et uno caballo cum hominibus de Newtoun. Ego autem et heredes mei warantizabimus praedictis canonicis praedictam terram contra omnes homines et ad hanc cartam perpetuis temporibus roborandam episcopi de Sancto Andrea et de Glasgu rogatu meo et voluntate sigilla sua cum meo apposuerunt.

Testibus, etc.

CCXVII.

Confirmation by Earl Henry of the grants by Hugo de Moreville and Beatrix de Bello Campo to the Abbey of Dryburgh, circa A.D. 1150.

Registr. de Dryburgh, No. 15.

HENRICUS Comes Northumbriae, Episcopis abbatibus baronibus vicecomitibus ministris et omnibus probis suis hominibus Franciae et Angliae tam futuris quam praesentibus salutem.

Sciatis me concessisse et per hanc cartam meam confirmasse donationes elemosinae de Dryburgh quas Hugo de Morevilla et Beatrix de Bello Campo dederunt Deo et Sanctae Mariae et fratribus ibidem Deo servientibus sicut carta eorum testatur et concedit.

Testibus, etc.

CCXVIII.

Charter by King David granting to the Abbey of Dryburgh the church of Lanark, and the church and a ploughgate of land in Pettinain, circa A.D. 1150.

Registr. de Dryburgh, Nos. 43 and 209.

DAVID Rex Scottorum, Episcopis abbatibus comitibus justitiariis baronibus vicecomitibus ministris et omnibus hominibus totius terrae suae Francis Anglis et Scottis et Galwensibus salutem.

Sciant tam posteri quam praesentes me concessisse et dedisse et hac mea carta confirmasse ecclesiae Sanctae Mariae de Dryburgh et fratribus canonicis ibidem Deo servientibus ad tenendum de me et heredibus meis in liberam et perpetuam elemosinam ecclesiam de Lanark cum terris et decimis et omnibus rebus juste ad illam

pertinentibus et ecclesiam de Pedynnane cum omnibus suis pertinentiis et in eadem villa illam carrucatam terrae quam Nicholaus clericus meus de me habuit et tenuit ita libere et quiete ab omni seculari exactione et consuetudine eisdem fratribus perpetuo possidendas sicut aliqua ecclesia terrae meae elemosinas melius et quietius tenet et possidet ita tamen quod in ecclesiis illis officium divinum honeste fiat.

Testibus, etc.

CCXIX.

Charter by Beatrix de Bello Campo granting the church of Bosyete to the church and canons of Dryburgh, circa A.D. 1150.

Registr. de Dryburgh, No. 93.

DOMINO suo David Regi Scotiae et omnibus heredibus suis et Ricardo de Morevilla filio suo et omnibus heredibus suis et cunctis fidelibus, B. de Bello Campo salutem.

Sciant me dedisse et concessisse Deo et ecclesiae Sanctae Mariae de Driburgh et canonicis ibidem Deo servientibus ecclesiam de Bosyete meae liberae dotis cum omnibus pertinentiis suis in perpetuam elemosinam ita libere et quiete sicut aliqua elemosina potest liberius et quietius concedi et teneri pro amore Dei et in remissionem peccatorum meorum.

Testibus, etc.

CCXX.

Charter by King David granting to the church of St. Kentigern at Glasgow the church of Cadihou, circa A.D. 1150.

Registr. Epis. Glasguen., No. 8.

DAVID Rex Scotiae, Episcopis abbatibus comitibus baronibus justitiariis vicecomitibus praepositis ministris et omnibus probis hominibus totius terrae suae salutem.

Sciatis me concessisse et in perpetuam elemosinam dedisse ecclesiae Sancti Kentegerni de Glesgu et episcopo ejusdem ecclesiae, ecclesiam de Cadihou sicut elemosina dari potest melius et liberius, Henrico comite concedente et assensum praebente.

Testibus Ernaldo abbate de Chelgho et Waltero cancellario et Hugone de Moreuilla et Herberto camerario et Galtero filio Alani et Thoma Lundoniarum et Waltero de Lindeseai et W. de Lindeseai et Waltero de Ridale. Apud Striuelin.

CCXXI.

Charter by King David granting Hoctor comon to Andrew, Bishop of Caithness, circa A.D. 1150.

Registr. de Dunfermelyn, No. 24.

DAVID Rex Scottorum, Omnibus probis hominibus totius terrae suae salutem.

Sciatis me dedisse et concessisse A. episcopo de Katenes Hoctor comon liberam et quietam ab omni servitio excepto communi exercitu.

Testibus GG. episcopo Dunkeld, Dunc. comite, Gillandres de Scona, Alwyn Mac Archil. Apud Scona.

CCXXII.

Charter by King David granting lands to Walter de Riddale, circa A.D. 1150.

Denmilne Coll. Adv. Lib., 15. 1. 18, p. 76.

DAVID Rex Scottorum, Episcopis abbatibus justitiariis baronibus vicecomitibus praepositis ministris et omnibus hominibus totius terrae suae Francis et Anglis, etc., salutem.

Sciatis tam posteri quam praesentes me dedisse et concessisse Waltero de Riddale, Whitimes et dimidium Eschetho et Lilislive per suas rectas divisas cum omnibus appendiciis suis juste ad eas pertinentibus in nemore plano pratis pascuis et aquis et stalungiis quae sunt ab occidente de Richeldoun, sibi et heredibus suis ad tenendum de me et heredibus meis in feudo et hereditate libere per servitium unius militis sicut unus baronum meorum vicinorum suorum qui libere tenet feudum suum melius et liberius habet et tenet. Et si ego et heredes mei Waltero vel heredibus suis praedictas terras propter justam alicujus calumniam warantizare non poterimus ego et heredes mei ei et heredibus suis excambium ad valentiam ad suum rationabile . . . dabimus.

Testibus, Andrea episcopo de Catnes, Waltero filio Alani et Waltero de Lindesai et David Vinet et Nicholaio clerico et Ricardo de Morevilla et Alexandro Setone et Alexandro de Sancto Martino. Apud Scone.

CCXXIII.

Protection by King David to the clerics of Deer, circa A.D. 1150.

Book of Deer.

DAVID Rex Scottorum omnibus probis hominibus suis salute[m].

Sciatis quod clerici de Der sunt quieti et immunes ab omni laicorum officio et exactione indebita, sicut in libro eorum scriptum est et dirationaverunt apud Banb et juraverunt apud Aberdon. Quapropter firmiter praecipio ut nullus eis aut eorum catellis aliquam injuriam inferre praesumat.

Teste Gregorio episcopo de Duncallden.

Teste Andrea episcopo de Cat'.

Teste Samsone episcopo de Brechin.

Teste Donchado comite de Fib et Malmori d'Athotla et Ggillebrite comite d'Engus et Ghgillcomded Mac Aed et Brocin et Cormac de Turbrud et Adam Mac Ferdomnac et Gillendrias Mac Matni. Apud Abberdeon.

CCXXIV.

Charter by King David granting Nithbren and Balcristin to the Abbey of Dunfermline, circa A.D. 1150.

Registr. de Dunfermelyn, No. 3.

DAVID Rex Scottorum, Episcopis abbatibus comitibus vicecomitibus baronibus praepositis ministris et omnibus probis hominibus totius terrae suae Francis Anglicis et Scottis salutem.

Sciatis me et Henricum comitem filium meum pro salute animarum nostrarum et antecessorum nostrorum in perpetuam elemosinam dedisse et concessisse ecclesiae Sanctae Trinitatis de Dunfermelin et abbati et fratribus ibidem Deo servientibus, villam de Nithbren cum suis appendiciis et Balcristin cum suis rectis divisis in pratis et pascuis excepta rectitudine quam cheledei habere debent, cum omnibus rebus juste ad eas pertinentibus sicut datae fuerunt praedictae ecclesiae in dotem die qua dedicata fuit, libere et quiete ab omni consuetudine et servitio sicut aliqua domus religionis terrae nostrae tenet aliquam terram melius et liberius.

Testibus Roberto episcopo de Sancto Andrea, Herberto episcopo de Glescu, et GG. episcopo de Duncheld, et Andrea episcopo de Katenes, et Edwardo episcopo de Aberdon, et Symeone episcopo de Ros, et Arnaldo abbate de Kelch., et Alwyno abbate de Edenb., et Willo. abbate de Struelin et Duncano comite, et Garuad comite, et Morgrund comite et Leod abbate de Breichin et Waltero filio Alani et Galtero

cancellario regis et Herberto camerario, et Galtero de Lyndesei, et Roberto Auenel, et Alwyno filio Archil, et Ewaein Marescall, et Gilcolm mac chimbethin. Apud Dunfermelin.

CCXXV.

Charter by King David granting the church of Forgrund to the canons of St. Andrews, circa A.D. 1150.

Registr. Prior. S. Andreae.

DAVID Dei gratia Rex Scottorum, R. episcopo Sancti Andreae et omnibus episcopis abbatibus comitibus baronibus vicecomitibus ministris et omnibus probis hominibus suis et fidelibus totius regni sui salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sancti Andreae Apostoli et canonicis ibidem Deo servientibus et servituris in perpetuam elemosinam ecclesiam de Foregrund cum decimis et consuetudinibus et rectitudinibus omnibus ecclesiae pertinentibus de toto dominio meo et de omnibus hominibus meis de Foregrund et de Foregrund seihire pro salute mea et Henrici filii mei et pro animabus patris mei et matris meae et omnium antecessorum et successorum nostrorum et unam plenariam toftam ad hospitandum presbyterum ipsius ecclesiae et volo et praecipio ut bene et in pace et quiete et libere et honorifice teneant sicut aliqua elemosinarum mearum quietior et liberior est.

Testibus Roberto episcopo Sancti Andreae et Edwardo episcopo de Aberden. et Gr. episcopo de Dunech. et Andrea episcopo de Cathen. et Waltero cancellario et Nicholao clerico et Matheo archidiacono et Dunecano comite et Hugo de Moreuilla et Waltero de Lindeseai et Willelmo de Lindeseai et Roberto Auenel et Waltero de Ridal et Led. abbate et Alfuin filio Archil. Apud Sconam.

CCXXVI.

Charter by King David granting to the Priory of St. Andrew's a toft in Berwick.

Registr. Prior. S. Andreae.

DAVID Rex Scotiae, Omnibus probis hominibus totius regni sui salutem.

Sciatis me concessisse Sancto Andreae et priori Sancti Andreae et canonicis ecclesiae Sancti Andreae famulantibus quandam plenariam toftam in Berewic in perpetuam elemosinam liberam et quietam ab omni servitio et consuetudine sicut aliqua elemosina in tota terra mea est liberior et quietior et homines in eadem tofta manentes quieti et liberi sint ab omni exactione et consuetudine et teloneo et omnibus aliis rebus sicut alii burgenses sunt de aliis elemosinis meis.

Teste Eadward epo. de Aberden, Willelmo epo. de Morheuia, Andrea epo. de Katen., Will. abbate de Sancta Cruce, Alwred abbate de Striuelin, Osberto priore de Jedwortha, Waltero cancellario, Herberto camerario, Nicholao clerico. Apud Sanctum Andream.

CCXXVII

Charter by King David granting to the church of St. Andrew's a toft in the burgh of Haddington.

Registr. Prior. S. Andreae.

DAVID Dei gratia Rex Scottorum, Episcopo Sancti Andreae et vicecomiti et omnibus baronibus et probis hominibus suis de Laudonio salutem.

Sciatis me dedisse et concessisse in perpetuam elemosinam Deo et ecclesiae Sancti Andreae et canonicis ibidem Deo servientibus unam plenariam toftam in burgo

de Hadintona pro salute mea et filii mei et pro animabus patris et matris meae et praedecessorum et successorum meorum et volo ut bene et in pace et quiete et honorifice eam tenant sicut aliqua tofta de elemosina mea in burgis meis liberior et quietior est.

Teste Roberto epo. Sancti Andreae et G. epo. de Dunkeld et A. epo. de Katenes et Waltero et Lyed abbate. Apud Sconam.

CCXXVIII.

Confirmation by Robert, Bishop of St. Andrews, of the grants to the Abbey of Dunfermline by Earl Duncan and by Elwyn Renner and his wife, circa A.D. 1150.

Registr. de Dunfermelyn, No. 91.

ROBERTUS Dei gratia Sancti Andreae episcopus, Omnibus sanctae matris ecclesiae filiis salutem.

Sciant universi nos concessisse et praesenti carta confirmasse ecclesiae Sanctae Trinitatis de Dunfermelyn et abbati et monachis ibidem Deo servientibus ecclesiam de Kaledure Comitis quam Comes Duncanus praedictae ecclesiae in perpetuam elemosinam dedit et ecclesiam de Neutun similiter quam Elwynus Renner et Ede uxor ejus eidem ecclesiae in elemosinam perpetuam dederunt cum omnibus eisdem ecclesiis adjacentibus ita libere et quiete sicut aliqua ecclesia liberius et quietius in diocesi nostra ecclesias suas possidet. Volumus itaque et praecipimus quatenus eos libere teneant et absque omni exactione salvo jure episcopali quiete possideant.

Testibus his T. arch., M. arch., A. decano, Suano presbytero, Magistro Andrea, Nigello capellano, G. de Lesswade, Magro. Herberto, A. de Dunbar, S. priore de Coldigham, W. monach. de Kelch., Johanne nepote episcopi et Radulpho.

CCXXIX.

Charter by King David granting to the Abbot of Kelso the church of Selkirk, circa A.D. 1150.

Liber de Calchou, No. 373.

DAVID Dei gratia Rex Scottorum, Episcopis abbatibus comitibus baronibus justitiis vicecomitibus ministris et omnibus probis hominibus totius terrae suae Francis Anglicis et Scottis salutem.

Sciant tam posteri quam praesentes me dedisse et concessisse Ernaldo abbati de Kelchou et successoribus suis scilicet ejusdem ecclesiae abbatibus in perpetuam elemosinam ecclesiam de Seleschirche ita libere et quiete sicut elemosina debet dari et concedi ita scilicet quod praedicti abbates sint capellani mei et filii mei et successorum meorum de praedicta ecclesia.

Testibus Henrico filio meo, Gaufrido abbate de Dunfermeline, Hugone de Morevilla, W. de Bidun cancellario, Willelmo de Lyndesei, Waltero filio Alani, Nicholao clerico. Apud Edenburge.

CCXXX.

Charter by Robert, Bishop of St. Andrews, granting the church of Lohworuora to Herbert, Bishop of Glasgow, circa A.D. 1150.

Registr. Epis. Glasguen., No. 11.

ROBERTUS Dei gratia Episcopus Sancti Andreae, Omnibus sanctae matris ecclesiae filiis salutem.

Sciant praesentes et futuri nos concessisse et per libram saisisse Herbertum Glasguensem episcopum de ecclesia de Lohworuora sicut de possessione Glasguensis ecclesiae.

Praesentibus et assensum praestantibus David illustri Scottorum Rege et Henrico filio ejus, ita ut ecclesia Sancti Andreae habeat omnes consuetudines episcopales in ecclesia de Lohworuara sicut in ceteris ecclesiis Laudoniae a priore de Scona, quem tradente nobis praefato Herberto episcopo in . . . ejusdem ecclesiae suscepimus.

Praesentibus et his testibus Gregorio Dunchelden. episcopo, Andrea Chatan. episcopo, Gaufrido abbate de Dunfermelin, Ernaldo abbate de Calceho, Alfwino abbate de Sancta Cruce, Willelmo abbate de Striuelin, Roberto priore de Sancto Andreae, Osberto priore de Sancta Cruce, Thoma priore Scone, Thor archidiacono, Ascelino archidiacono, Eyolfo decano, Waltero cancellario regis, Ingelleran cancellario comitis, Magistro Laurentio, Jordane Heyrun, Waltero capellano de Lillesclive, Nicholao clerico, Thoma de Linnithuc, Dunecan comite, Hugone de Moreuilla, Willelmo de Sumervilla, Cospatrico filio Waltheof, Waltero de Lindeseai, Willelmo fratre ejus, Bernardo de Boilond, Willelmo de Vesci, Odenel de Unfranuilla, Waltero de Bolebech, Alfwino Rennere, Eadwardo constabulario, Thor filio Suein, Willelmo de Graham, Arturo Finboga, Rogero nepote episcopi Sancti Andreae, Uhtred filio Fergus, Radulfo filio Dunegal, Duuenald fratre ejus, Baldewino flam., Hug. filio Fresechin.

CCXXXI.

Charter by King David granting a toft in the burgh of Haddington to the monks of May.

Chartulary of the Abbey of Reading.

David Rex Scotiae, Praepositis ministris et omnibus probis hominibus totius terrae suae salutem.

Sciatis me in elemosinam fratribus de Mai unam

plenariam toftam in burgo meo de Hadintune dedisse libere et quiete ab omni consuetudine et servitio.

Testibus Andrea episcopo de Cateneis, Gaufredo abbate de Dunfermlin et multis aliis.

CCXXXII.

Charter by King David granting the Island of Loch Leven to the canons of St. Andrews, with liberty to expel those Keledei who refuse to become canons regular, circa A.D. 1150.

Registr. Prior. S. Andreae.

DAVID Rex Scottorum, Episcopis abbatibus comitibus vicecomitibus et omnibus probis hominibus totius terrae suae salutem.

Sciatis me concessisse et dedisse canonicis Sancti Andreae, insulam de Lochleuen ut ipsi ibi instituant ordinem canonicalem et Keledei qui ibidem inventi fuerint si regulariter vivere voluerint in pace cum eis et sub eis maneant et si quis illorum ad hoc resistere voluerit volo et praecipio ut ab insula ejiciatur.

Testibus Roberto episcopo Sancti Andreae, Andrea episcopo de Katen., Waltero cancellario, Nicholao clerico, Hugone de Moreuill, Waltero filio Alani. Apud Berwic.

CCXXXIII.

Mandate by King David to the canons of St. Andrews to receive the Keledei of Kilrimont as canons, circa A.D. 1150.

Registr. Prior. S. Andreae.

DAVID Rex Scotiae, Episcopis abbatibus comitibus vicecomitibus et omnibus sanctae ecclesiae filiis salutem.

Sciatis me dedisse et concessisse priori et canonicis ecclesiae Beati Andreae Apostoli ut recipiant Kelledeos de Kilrimont in canonicos secum cum omnibus possessionibus et redditibus suis si voluerint canonici fieri et si noluerint canonicari hi qui nunc vivunt habeant et teneant possessiones suas in vita sua et post obitum illorum instituantur loco eorum tot canonici in ecclesia Sancti Andreae quot sint Kelledei ut omnia praedia et omnes terrae et elemosinae eorum quas habent convertantur in usus canonicorum praedictae ecclesiae in perpetuam liberam et quietam elemosinam sicut liberius et quietius tenet aliqua ecclesia in regno meo.

Testibus A. episcopo de Katen., W. abbate Struelin, W. cancellario, Nicholao clerico, Hugo de Moreuille, W. fil. . . .

CCXXXIV.

Charter by King David granting Vithemer to the Abbey of Kelso, circa A.D. 1150.

Liber de Calchou, No. 374.

David Rex Scottorum, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus ministris et omnibus probis hominibus totius terrae suae salutem.

Sciatis omnes me concessisse ecclesiae Sanctae Mariae et Sancti Johannis de Chalchehoh et abbati ac monachis ibidem Deo famulantibus villam Vithemer nomine per suas rectas divisas liberam et quietam ab omni servitio et consuetudine seculari in liberam et perpetuam elemosinam sicut aliqua abbatia in tota terra mea elemosinas suas liberius melius et quietius tenet et possidet.

Testibus Osberto priore de Jeddeworthe, Waltero cancellario, Hugone de Moreuilla, Waltero filio Alani, Roberto Auenel, Waltero de Ridal. Apud Rochesburce.

CCXXXV.

Charter by King David granting the church of Clackmanan, etc., to the Abbey of Stirling, circa A.D. 1150.

Chartulary of Cambuskenneth, No. 57.

DAVID Rex Scottorum, Omnibus probis hominibus totius terrae suae clericis et laicis salutem.

Sciatis me concessisse et hac mea carta confirmasse abbati de Striuelin et canonicis ibidem Deo servientibus ecclesiam de Clacmanan cum quadraginta acris terrae et toftum sacerdotis in eadem villa et aisiamenta in bosco et plano et decimas omnium placitorum et lucrorum meorum de Striueling et de Striuelinschire et de Kalenter et unum toftum in burgo meo de Striuelin et aliud toftum in Linlidcu in perpetuam elemosinam ita libere et quiete ab omni seculari servitio ut aliqua elemosina melius et liberius in regno meo tenetur.

Testibus Willelmo Moraviensi episcopo et Hugone de Moreuilla, Waltero filio Alani, Adam de Rogesburg, Nicolao clerico, Waltero cancellario, Johanne capellano. Apud Striuelin.

CCXXXVI.

Mandate by Earl Henry not to molest the monks of Coldingham in the enjoyment of lands in Berwickshire which Swain had restored to them, circa A.D. 1150.

The original is in the Treasury at Durham.

HENRICUS comes filius regis Scotiae, Episcopis abbatibus prioribus comitibus baronibus justitiis vicecomitibus ministris et omnibus probis hominibus regni Scotiae salutem.

Notum sit vobis omnibus Swaen presbyterum coram me et in mea praesentia quietas clamasse monachis de Coldingham et illis reddidisse apud Berewihc, Fiswihc cum omnibus ad illam pertinentibus in terris et aquis et dimidiam Prenderghest et terram quae habuit in Coldingham et Lummesdene.

Volo itaque quatenus praedicti Swen omni vexatione remota terras suas praenominatas teneant et in pace possideant.

Testibus Cancellario Hingelramo et Willelmo de Sumerville.

CCXXXVII.

Charter by King David granting Caddysleya to the Abbey of Dryburgh, A.D. 1150-1152.

Registr. de Dryburgh, No. 109.

DAVID Rex Scotiae, Abbatibus comitibus baronibus justitiariis vicecomitibus ministris episcopis et omnibus probis hominibus totius regni sui salutem.

Sciatis me dedisse et concessisse ecclesiae Sanctae Mariae de Driburgh, landam illam qua vocatur Caddysleya cum . . . infra forestam meam circumquaque pro salute animae meae et filii mei Henrici et animabus antecessorum et successorum meorum in perpetuam elemosinam liberam et quietam. Quare volo et praecipio quod praefata ecclesia et canonici ibidem Deo famulantes teneant eam libere et quiete sicut aliqua ecclesia totius regni mei aliquam elemosinam liberius et quietius tenet et habet.

CCXXXVIII.

Charter by Beatrix de Bello Campo granting a land in Roxburgh, etc., to the church of Dryburgh, A.D. 1150-1152.

Registr. de Dryburgh, No. 143.

DOMINO suo David Regi Scotiae et omnibus heredibus suis R[icardo] de Morevilla filio suo et omnibus heredibus suis et cunctis fidelibus, Beatrix de Bello Campo salutem.

Sciant me dedisse et concessisse Deo et ecclesiae Sanctae Mariae de Dryburgh et canonicis ibidem Deo servientibus totam illam terram de Rogesburgh quam emi a Rogero janitore et decimam molendini de Naythinthern in perpetuam elemosinam ita libere et quiete sicut aliqua elemosina potest liberius et quietius concedi et teneri pro amore Dei et in remissionem peccatorum meorum.

Testibus . . .

CCXXXIX.

Confirmation by King David of the grants by Hugo de Moreville and Beatrix de Bello Campo to the Abbey of Dryburgh, A.D. 1150-1152.

Registr. de Dryburgh, No. 239.

DAVID Rex Scotiae, Episcopis abbatibus comitibus baronibus justitiariis vicecomitibus praepositis ministris et omnibus probis hominibus totius terrae suae clericis et laicis Francis et Anglicis tam futuris quam praesentibus salutem.

Sciatis me concessisse et hac mea carta confirmasse ecclesiae Sanctae Mariae de Driburgh et fratribus canonicis ibidem Deo servientibus et servituris ipsum locum de Driburgh et omnes donationes et elemosinas quas Hugo de Morevilla et Beatrix de Bello Campo uxor ejus ad eorum sustinementum concesserunt in perpetuam elemosinam et eis dederunt scilicet in terris et in aquis in piscationibus

et pascuis et in ecclesiis terrae suae et in omnibus aliis beneficiis sicut cartae eorum testantur et confirmant. Quare volo et praecipio ut praenominati fratres has elemosinas ita libere et quiete et plenarie perpetuo teneant et possideant sicut aliqua elemosina in regno Scotiae liberius et quietius tenetur et sicut cartae eorum confirmant.

Testibus, etc.

CCXL.

Confirmation by Richard de Moreville of grants to the Church of Dryburgh by his mother and his sister, circa A.D. 1152.

Registr. de Dryburgh, No. 92.

RICARDUS DE MOREVILLA, Omnibus amicis et probis hominibus suis salutem.

Sciant tam praesentes quam futuri me concessisse et hac mea carta confirmasse Deo et ecclesiae Beatae Mariae de Driburgh et canonicis ibidem Deo servientibus donationem matris meae de ecclesia de Bosyete et molendinam de Nathanthern et terram suam de Rogesburgh quam emit a Rogero janitore et donationem Adae sororis meae scilicet decimam molendini de Newtoun in perpetuam elemosinam ita libere et quiete sicut aliqua elemosina liberius et quietius potest concedi et teneri pro salute animae meae et animabus antecessorum et successorum meorum.

Testibus . . .

CCXLI.

Charter by Earl Henry granting a toft in Roxburgh to the Church of Dryburgh, A.D. 1150-1152.

Registr. de Dryburgh, No. 146.

HENRICUS comes filius regis Scotiae, Episcopis justiariis abbatibus baronibus vicecomitibus praepositis

ministris et omnibus probis hominibus suis de Teuidall salutem.

Sciant me dedisse ecclesiae Sanctae Mariae de Driburgh et canonicis ibidem Deo servientibus illud toftum quod fuit Johannis capellani in burgagio extra murum de Rogesburgh et volo et praecipio ut ecclesia supradicta illud habeat et teneat libere et quiete ab omni consuetudine et servitio sicut meam liberam elemosinam.

Testibus . . .

CCXLII.

Charter by King David to the Abbey of Dryburgh, A.D. 1150-1152.

Sir James Balfour's Transcripts Adv. Lib.
Printed in the Registr. de Dryburgh, p. lxix.

DAVID Rex Scottorum, Episcopis abbatibus comitibus justitiariis baronibus vicecomitibus ministris et omnibus hominibus totius terrae suae Francis Anglis et Scottis et Gallowidensibus salutem.

Sciant tam posteri quam praesentes me concessisse et dedisse et hac mea carta confirmasse ecclesiae Sanctae Mariae de Drybrughe quam fundavi et fratribus canonicis ibidem Deo servientibus pro salute animae meae et pro salute animarum praedecessorum et successorum meorum ad tenendum de me et heredibus meis in liberam et perpetuam elemosinam, ecclesiam de Drybrughe cum capellis decimis oblationibus et omnimodis pertinentiis suis, ecclesiam de Lanarke cum terris et decimis et omnibus rebus ad illam juste pertinentibus et ecclesiam de Pedynane cum omnibus suis pertinentiis et in eadem villa illam carrucatam terrae quam Nicholaus clericus meus de me habuit et tenuit ita quiete et libere ab omni seculari exactione et consuetudine eisdem fratribus perpetuo possidendas sicut aliqua alia ecclesia vel ecclesiae

terrae meae elemosinas suas melius et quietius tenent et possident ita tamen quod in ecclesiis illis officium divinum honeste fiat. Dedi eis insuper landam illam quae vocatur Caddysleya cum pastura infra forestam meam pro salute animae Henrici filii mei in liberam et perpetuam elemosinam et unum manerium in burgo meo de Caraile eis dedi cum tribus rudis terrae ad illam pertinentibus. Dedi dictis fratribus et eis confirmavi illam terram et omnia ad eam pertinentia quam Beatrix de Bello Campo de Rogero janitore emit et eis in liberam et perpetuam elemosinam dedit et illud etiam toftum extra portam occidentalem de Rogesburghe quod Johannis capellani fuit ita liberum et quietum eis concedo sicut carta Henrici comitis filii mei eis donat et confirmat.

Concedo etiam et confirmo eis illam terram quae est inter murum ejusdem portae, quam Ada capellanus meus eis concessit et in liberam et perpetuam elemosinam dedit cum eadem libertate quam eidem Adae concesseram scilicet ut nullus super plenarium forisfactum meum de illa terra censum aut aliquam omnino consuetudinem quae in burgo advenerit praesumat exigere.

Praeterea praefatis fratribus concedo ut liceat eis in nemoribus meis accipere ea quae necessaria habuerint in usibus suis et aedificiis ita ut nullus eos injuste disturbet et ut sint liberi et quieti in omni regno meo de teloneo et omnibus secularibus exactionibus et consuetudinibus sicut aliqui viri religiosi in tota terra mea liberiores inveniuntur, videlicet quantum ad se et propria catalla sua.

Volo itaque et praecipio ut praedicta domus praenominatas elemosinas donationes et libertates ita libere quiete et honorifice teneat et possideat sicut aliqua ecclesia in omni regno meo liberius et quietius tenet et possidet.

Testibus Henrico comite filio meo, Ada comitissa sua, Waltero cancellario, Duncano comite, Hugone de Morvilla,

Waltero de Lindesei, Roberto Avenell, Waltero Ridel, Herberto camerario, Nicholao clerico, Aluino filio Arkill, Ewen marischallo, Gillecolme Mackthumpethin, Macbeth Macktorphin, Meuin filio Colbani.

✕ Ego Robertus S. Andreae episcopus confirmo.

✕ Ego Gregorius Dunkeldensis episcopus confirmo.

✕ Ego Andreas Katenensis episcopus confirmo.

CCXLIII.

Confirmation to the Abbey of Dryburgh by King David of the grants by Beatrix de Bello Campo and granting right to take wood, etc., in the King's forests and freedom from toll and secular service, A.D. 1150-1153.

Registr. de Dryburgh, No. 147.

DAVID Rex Scotiae, Episcopis abbatibus comitibus baronibus justitiariis vicecomitibus praepositis ministris et omnibus probis hominibus totius terrae suae clericis et laicis Francis et Anglicis praesentibus et futuris salutem.

Sciant me concessisse et hac mea carta confirmasse Deo et ecclesiae Sanctae Mariae de Driburgh et canonicis ibidem Deo servientibus illam terram et omnia ad eam pertinentia quam Beatrix de Bello Campo de Rogero janitore emit et eis in liberam et perpetuam elemosinam dedit ita libere et quiete perpetuo tenendam sicut aliqua elemosina liberius et quietius tenetur et possidetur et illud etiam toftum extra portam occidentalem de Rogesburgh quod Johannis capellani fuit, ita liberum et quietum eis concedo sicut carta Henrici comitis filii mei eis donat et confirmat.

Concedo etiam et confirmo eis illam terram quae est inter murum ejusdem portae quam Ada capellanus meus

eis concessu meo in liberam et perpetuam elemosinam dedit cum eadem libertate quam eidem Adae concesseram scilicet ut nullus super plenarium forisfactum meum de illa terra censum aut aliquam omnino consuetudinem quae burgo advenerit praesumat exigere.

Praeterea praefatis fratribus concedo et hac praesente carta confirmo ut liceat eis in nemoribus meis accipere ea quae necessaria habuerint in usibus suis et aedificiis ita ut nullus eos injuste disturbet et ut sint liberi et quieti in omni regno meo de teloneo et omnibus secularibus exactionibus et consuetudinibus sicut aliqui viri religiosi in tota terra mea liberiores inveniuntur scilicet quantum ad se et propria catalla sua.

Volo itaque et praecipio ut praedicta domus praenominatas elemosinas donationes et libertates ita libere et quiete et honorifice perpetuo teneat et possideat sicut aliqua ecclesia in omni regno meo liberius et quietius tenet et possidet.

Testibus . . .

CCXLIV.

Charter by Earl Henry to the Abbey of Holmcultram, A.D. 1150-1152.

Dugdale, Monasticon, v., p. 594. (Ex Miscell. G. in Col. Corp. Christi Cantebr., p. 271.)

HENRICUS comes, filius Davidis Regis Scotiae, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus ministris et omnibus probis hominibus totius terrae suae clericis et laicis Francis et Anglicis tam praesentibus quam futuris salutem.

Sciatis me dedisse et concessisse in perpetuam elemosinam duas partes Holmcoltriae, abbati et monachis ibidem Deo servientibus quas ego et plures probi homines mecum perambulavimus in primis inter eos et

Alanum filium Waldeff, quando ego tertiam partem praedictae Holmcoltriae praenominato Alano ad venationes suas concessi.

Praeterea vero concedo et hac mea carta confirmo donationem ejusdem Alani filii Waldeff et Waldeff filii sui de illa tertia sua parte Holmcoltriae quam illi ad venationes suas concesseram, quam ipse in praesentia patris mei et mea et baronum meorum, apud Carleolum, praedicti loci abbati et monachis in perpetuam elemosinam dedit et concessit et carta sua testante confirmavit.

Volo itaque ut abbas Holmcoltriae et monachi ibidem Deo servientes habeant plenarie Holmcoltriam per suas rectas divisas, in nemore et plano pratis et pascuis piscationibus et aquis, et Rabi cum suis rectis divisis sicut ego et barones mei mecum ipsas perambulavimus inter praedictos monachos et Anthetillum filium Udardi.

Concedo etiam eis materiem in forestam de Engleswoda ad aedificia sua et ad omnia domi suae necessaria facienda et pasturam porcis eorum sine pasnagio. Cum his autem praedictis infra terminos abbatiae Holmcoltriae et divisas suas tantam pacem et libertatem constituo, quantam abbatia de Maylros et abbatia de Neubotla concessione patris mei tranquillius et sanctius et quietius possident, et possessionibus suis infra perfruuntur.

His testibus Adulpho Carleoli episcopo, Waltero priore, Waltero de Bidun regis cancellario, Engerram comitis cancellario, Hugo de Morevilla, Willielmo de Sommervilla, Willielmo de Heriz, Willielmo Engaine, Raun. de Soll., Raun. de Lundeseai, Waltero de Ridale, Cospatrico filio Orm, Henrico filio Suani, Waltero fil. Alani, Hugone Ridill, Alano de Laceles.

CCXLV.

Confirmation by King David of the grant by his son, Earl Henry, to the Abbey of Holmcultram, A.D. 1150-1153.

5 Dugdale, Monasticon, p. 594, ex Registro Cartarum Abb. de Holmcoltram nuper penes Will. D. Howard de Naworth, Cestr. fol. 10*b*.

DAVID Rex Scotiae, Episcopis abbatibus comitibus baronibus vicecomitibus praepositis ministris et omnibus probis hominibus totius terrae suae et filii sui clericis et laicis tam praesentibus quam futuris salutem.

Sciatis me concessisse et hac mea carta confirmasse donationem filii mei de Holmcoltram quam ipse abbati et monachis ibidem Deo servientibus donavit et concessit in elemosinam. Confirmo etiam eis aliam tertiam partem de Holmcoltram quam Alanus filius Waldef eisdem monachis pro salute animae suae dedit et concessit cum caeteris omnibus quae carta filii sui continet et testatur.

His testibus Adeulfo episcopo Carleolensi, Waltero priore, etc.

CCXLVI.

Charter by Earl Henry to the church of Brinkburne, A.D. 1150-1152.

Chart. de Brinkburne.

HENRICUS Comes filius regis Scotiae, Justitiariis suis et baronibus vicecomitibus et ministris et omnibus probis hominibus suis totius Northumbriae salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sancti Petri de Brinkburne et canonicis ibidem Deo servientibus pro anima mea et animabus antecessorum meorum salinam

unam de salinis meis de Werkeworth in perpetuam elemosinam.

Volo itaque quatenus praedicti canonici de Brinkburne illam salinam habeant et teneant ita libere et quiete et honorifice sicut ipsi aliquam elemosinam liberius quietius in terra mea habent et nullus vestrum super plenarium forisfacturum meum eis injuriam vel contumeliam inde conferat nec fieri permittat.

Testibus Englr' cancellario comitis, Hugone Ridel et aliis.

CCXLVII.

Charter by Earl Henry to the church of Brinkeburne, A.D. 1150-1152.

Chart. de Brinkburne.

HENRICUS filius regis Scotiae, Justitiariis vicecomitibus ministris et omnibus suis fidelibus totius Honoris sui tam praesentibus quam futuris salutem.

Notum sit omnibus nobis quod ego concedo et confirmo in feudum et elemosinam locum qui Brinkeburne dicitur, cum silvis et terris et omnibus quae Willelmus Bertram concessit et dedit priori et fratribus ecclesiae Sanctae Mariae de Insula et quae juste derationare poterit et quae deinceps vel ab eo vel ab aliquo meorum hominum dari contigerit.

Haec, inquam, omnia hac mea carta rata corroboro usibus et sustentationi Christi pauperum ibidem commorantium cum omnimoda libertate sine omni inquietudine modis omnibus in perpetuum pro futura.

Sciatisque me suscepisse et retinuisse eosdem fratres et sua omnia in mea custodia et tuitione et manutenentia sicut meos proprios dominicos canonicos.

Quam volo et firmiter praecipio quod ipsi et omnia sua ubique per potestatem meam habeant meam pacem et manutenentiam et prohibeo super forisfactum meum quod

ullus eis vel suis dampnum inferat vel injuriam vel contumeliam vel ullam inquietudinem faciat vel facere permittat.

Et siquis de dampno eorum vel injuria comprobatus fuerit nisi ipsum iidem condempnaverint sicut mihimet ipsi illatum fuerit per ministros meos dampnum plenisse emendetur.

Siquis etiam aliquid boni eis pro Dei amore et pro salute animae suae impenderit, de Deo remunerationes accipiat de me autem gratias.

Praesentibus testibus Eustachio filio Johannis, Randulfo de Merlay et aliis. Apud Corbrig' VI Idus Novembris.

CCXLVIII.

Charter by King David confirming to Baldwin a toft in the burgh of Perth, A.D. 1150-1153.

Registr. Prior. S. Andreae.

DAVID Rex Scottorum, Justitiis vicecomitibus praepositis et omnibus burgensibus de Pert salutem.

Sciatisme dedisse et concessisse huic Balduino clienti meo suum toft quod tenet et habet in Pert libere et quiete ab omni servitio burgi excepta vigilia infra burgum et claustura burgi secundum suam possessionem. Reddendo mihi inde per annum i turet et ii coleres et pro hoc quietus sit ab omni alio servitio et defendo ne ipse de aliquo placito sui alicui [respondeat] nisi in praesentia mea aut justitiae meae.

Praeterea concedo ei ut cum Baldewinus voluerit a villa recedere quatenus possit domum suum et suum toft in burgagium vendere.

Testibus Andrea episcopo de Cathen. et Waltero filio Alani et Waltero de Lindeseai, Waltero de Ridale, Nicholao clerico. Apud Sconam.

CCXLIX.

Charter by King David granting to the church of St. Andrews a toft in Clacmanan.

Registr. Prior. S. Andreae.

DAVID Rex Scotiae, Omnibus probis hominibus totius terrae suae salutem.

Sciatis me dedisse et concessisse ecclesiae Sancti Andreae et canonicis ibidem Deo famulantibus quandam plenariam toftam in Clacmanan ad oportunitatem domus suae et ad usus suos et negotia sua liberam et quietam ab omni servitio et consuetudine seculari.

Teste Waltero cancellario, Herberto camerario. Apud Clacmanan.

CCL.

Charter by King David granting to the church of St. Andrews, forty Shillings annually from the can of ships at Perth.

Registr. Prior. S. Andreae.

DAVID Rex Scotiae, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus praepositis et omnibus fidelibus clericis et laicis tam futuris quam praesentibus totius regni sui salutem.

Sciatis me dedisse et concessisse Deo et ecclesiae Sancti Andreae et canonicis ibidem Deo servientibus et servituris in perpetuam elemosinam XL solidos singulis annis de cano navium de Pert ad vestimenta canonicorum praefatae ecclesiae.

Testibus Roberto epo. Sancti Andreae, Thor. archidiacono, Dunecano comite, Roberto camerario, Cospatrico filio Waldef, Eadward cunestabulario, Waltero de Ridalis. Apud Clinros.

CCLI.

Charter by Gaufridus de Percy granting a ploughgate of land in Heton to the Abbey of Kelso, A.D. 1152-1153.

Liber de Calchou, No. 358.

GALFRIDUS DE PERCI, Omnibus sanctae matris ecclesiae filiis et fidelibus salutem.

Sciatis me dedisse et in perpetuam elemosinam concessisse Deo et ecclesiae Sanctae Mariae de Kelcheho et conventui monachorum ibidem Deo servientium pro salute animae meae et Davidis regis et Henrici filii ejus et antecessorum et successorum meorum unam carrucatam terrae in Hetona de quinquies viginta acris et quatuor proximam terrae hospitalis de Rokesburg, liberam et quietam ab omni servitio intrinseco et forinseco cum omnibus aisiamentis ejusdem villae in terris et pasturis et aquis ad tantam terram in eadem villae pertinentibus.

Concedo autem et confirmo quod ecclesia de Kelcheho praenominata terram praedictam teneat et habeat et in perpetuam elemosinam possideat ita libere et quiete et honorifice sicut ipsa ecclesia de Kelcheho aliquam elemosinam liberius et quietius et honorificentius habet et possidet. Annuente et confirmante Henrico fratre et herede meo.

Testibus praesentibus et audientibus Herberto Glasguensi episcopo, Willelmo episcopo de Muref, Osberto abbate de Jedd., Willelmo abbate de Edenb., Acelino archidiacono et aliis.

CCLII.

Charter by Gaufridus de Percy granting to the church of Whitby a ploughgate of land in Oxnam, A.D. 1152-1153.

Chart. Whitby, No. 57.

OMNIBUS filiis sanctae matris ecclesiae omnibusque hominibus tam praesentibus quam futuris, Gaufridus de

Perci, salutem in Christo, sciatis me dedisse et concessisse Deo et Sancto Petro et Sanctae Hyldae de Wyteby fratribusque nostris et monachis ibidem Deo servientibus unam carrucatam terrae in Oxanaham pro salute animae Regis Davidis qui mihi praedictam terram dedit et pro anima Comitis Henrici et filiorum et filiarum suarum et etiam pro salute animae patris mei et matris meae et meae animae et fratrum meorum et parentum in liberam et quietam elemosinam tam quietam et liberam sicut aliqua ecclesia quietius aut liberius aliquam tenet aut possidet elemosinam.

His testibus Gaufrido clerico fratre meo, Roberto Tyrel, Alano filio Raulfi, Godefrido de Bellung et alliis.

CCLIII.

Charter by Alan de Percy of land in Oxnam and Heton to the church of Whitby,

A.D. 1152-1153.

Chart. Whitby, No. 59.

SCIANT omnes videntes et audientes litteras istas, quod ego Alanus de Perci pro salute animae meae et pro domino meo Rege David et ejus filio Henrico comite et heredibus eorum et pro anima Alani de Perci patris mei et pro anima matris meae et pro animabus heredum meorum et omnium parentum meorum, dedi Deo et ecclesiae Sancti Petri et Sanctae Hyldae de Wyteby et monachis ibidem Deo servientibus duas carrucatas terrae unam in Oxeneham et alteram in Hetune cum communi aisiamento utriusque villae in elemosinam perpetue libere et quiete de omni servitio et consuetudine seculari.

His testibus Willelmo de Perci et Henrico de Perci fratribus meis, Pichot de Perci et aliis.

CCLIV.

Confirmation by King David of the grants by Alan and Gaufrid de Percy to the church of Whitby, A.D. 1152-1153.

Chart. Whitby, No. 62.

DAVID Rex Scotiae, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus praepositis ministris et omnibus hominibus totius terrae suae clericis et laicis tam futuris quam praesentibus salutem.

Sciatis me concessisse et hac mea carta confirmasse Deo et ecclesiae de Wyteby et fratribus monachis ibidem Deo servientibus elemosinam quam Alanus de Perci et Gaufridus frater suus dederunt Deo et ecclesiae Sanctae Hyldae de Wyteby scilicet unam carrucatam terrae in Hetune et aliam in Oxenam ad tenendam illam terram de me et de heredibus meis in perpetuam elemosinam libere et quiete ab omni servitio seculari et exactione.

Testibus Willelmo abbate de Castello Puellarum et Willelmo capellano et Ha. capellano de Rochesbur. et Duncano comite. [Apud] Castellum Puellarum.

CCLV.

Charter by King David to the monks of Urquhart, A.D. 1150-1153.

Registr. de Dunfermelyn, No. 33, and Reg. Episcop. Morav., No. 254.

DAVID Rex Scottorum, Episcopis abbatibus baronibus justitiariis vicecomitibus et omnibus hominibus totius terrae suae Francis Anglicis et Scottis salutem.

Sciant tam posteri quam praesentes me ad domus Dei dilatationem et ad sanctae religionis propagationem dedisse et concessisse Deo et ecclesiae Sanctae Trinitatis de Urchard et hac mea carta priori et fratribus ibidem servientibus confirmasse Urchard per suas rectas

divisas et duas Finfans per suas rectas divisas et Fochoper per suas rectas divisas et communionem pascuum animalibus et unam piscariam in Spe et in firma burgi de Elgin xx solidos et de dominicis hominibus eorum qui sunt in Fochoper rectitudinem piscis quae ad thaynum pertinet et decimam cani de Ergaithel de Muref et placitorum et totius lucri ejusdem Ergaithel.

Praeterea concedo et hac mea carta confirmo donationem abbatis et totius conventus de Dunfermelyn scilicet Pethenach juxta Eren per suas rectas divisas et scalingas de Fathenechten et omnes rectitudines quas monachi de Dunfermlyn in Muref habere solebant quas tali conditione ecclesiae de Urchard et fratribus ibidem Deo servientibus liberas et quietas ab omni exactione mea concessione et confirmatione concedunt ut obeunte persona alia de electione fratrum et de consilio abbatis de Dunfermlyn et assensu Regis si idoneus ibi inveniatur subrogetur sin autem de ecclesia de Dunfermelyne accipiatur. Haec personarum subrogatio inviolabiliter in perpetuum inter eos sicut praedictum est conservetur.

Volo etiam et praecipio quod ecclesia praedicta et prior et fratres ejusdem loci habeant et teneant res praedictas ita libere et quiete sicut aliqua ecclesia in terra mea habet et tenet quietius et liberius.

T. Andrea episcopo et multis aliis.

CCLVI.

Confirmation by Robert, Bishop of St. Andrews, of the lands and privileges of the Abbey of Dunfermline, A.D. 1150-1153.

Registr. de Dunfermelyne, No. 92.

UNIVERSIS sanctae matris ecclesiae Robertus Dei gratia minister humilis ecclesiae Sancti Andreae salutem et episcopalem benedictionem.

Quum ad officium nostrum spectare novimus in

ecclesia Dei aedificare et quae aedificata sunt in melius emendare, dignum duximus ut ea quae in ecclesia Dunfermelensis confirmanda exstiterant carta nostra quantum ad nos pertinet confirmarentur. Dominica gratia moniti et freti auctoritate tam absentibus quam praesentibus innotescimus nos concessisse et carta nostra confirmasse ut praefata ecclesia omnia illa quae sibi in elemosina data sunt ita libere et quiete ab omni servitio et exactione seculari possideat sicuti aliqua ecclesia melius et liberius possessiones suas tenere debet et maxime ea quae ad episcopalia jura pertinent videlicet ecclesiam de Perth et illam de Struelin et scolas et cetera omnia ad eas pertinentia et ecclesiam de Nithbrin et ecclesiam de Kinglassin et ecclesiam de Kircalethin et capellam de Innerkethyn et ecclesiam de Inviresc et capellam de Cousland et decimas de Keeth et ecclesiam de Wymet et ecclesiam de Hala cum omnibus appendiciis salvo jure episcopali et consuetudine. Huic cartae siquis instimulatione diabolica agitatus obviaverit et ex his aliquod perverse diminuerit nisi ad congruam satisfactionem inde venerit ab eo Dominus misericordiam suam auferat et ipsum de libro viventium deleat.

Testibus abbate W. de Sancta Cruce, et R. priore de S. Andrea, et T. arch. de Laudonia, et M. arch. de S. Andrea, et A. decano, et W. capellano, et Magistro Thoma, et Magistro H.

CCLVII.

Mandate by Earl Henry to Gilbert de Umfranville to protect the monks of Durham, circa A.D. 1152.

The original is in the Treasury at Durham.

HENRICUS Comes filius Regis Scotiae, Gilleberto de Unfranville conestabulo suo et ceteris baronibus et hominibus suis omnibus salutem.

Sciatis quod terra monachorum Dunelm. et possessiones suae in propria manu mea sunt et in propria mea protectione et in mea pace. Propterea mando vobis omnibus et praecipio quatenus terrae suae et possessionibus suis omnibus pacem teneatis et teneri faciatis ab omnibus vestris constanter et ubique sicut me diligitis. Testibus priore de Jeddewrde et Ricardo priore de Hestoudesham. Apud Jeddewrde.

CCLVIII.

Charter by Bernard de Baliol granting a fishing in the Tweed to the Abbey of Kelso, A.D. 1153.

Liber de Calchou, No. 52.

BERNARDUS DE BAILLIOL, Omnibus fidelibus sanctae ecclesiae filiis quam futuris quam praesentibus salutem. Notum sit vobis me dedisse et concessisse Deo et ecclesiae Sanctae Mariae et Abbati de Kelchou et fratribus ibidem Deo servientibus aquam piscatoriam in Twede quae pertinebat ad Wudehorn, pro anima Henrici comitis et filii mei et antecessorum et successorum meorum in perpetuam elemosinam et ad piscandum cum retibus eorum absque omni disturbatione. Annuentibus et confirmantibus dominis meis videlicet David Rege Scottorum et Malcolmo et Willelmo nepotibus ejus et hoc idem testantibus Wydone filio meo et Bernardo et aliis.

CCLIX.

Confirmation by King David of Bernard de Baliol's gift of a fishing in the Tweed to the Abbey of Kelso, A.D. 1153.

Liber de Calchou, Nos. 25 and 33.

DAVID Rex Scottorum, Omnibus probis hominibus totius regni sui salutem.

Sciant omnes tam posteri quam praesentes me confirmasse et hac praesenti carta coroborasse donum illud quod Bernardus Baliol dedit ecclesiae de Kelchou et Abbati et monachis inibi Deo famulantibus videlicet quandam piscariam quam habuit in Tweda. Quare volo et praecipio ac praesenti scriptura confirmo quam firmum et ratum donum praedictum in perpetuum habeatur sicut litterae et carta ipsius Bernardi testantur.

Testibus . . .

CCLX.

Charter by Countess Ada granting a toft in Haddington to the Abbey of Dunfermlin.

Registr. de Dunfermelyn, No. 152.

ADA Norhumbriae Comitissa, Praeposito suo et burgensibus suis et omnibus probis hominibus suis de Hadigtunes scyra Francis et Anglis, clericis et laicis, salutem.

Notum sit vobis me concessisse Domino Deo et Sanctae Mariae et ecclesiae de Dunfermelyn unum plenarium toftum in burgo meo de Hadingtona libere et quiete et in perpetua elemosina pro salute animae Comitis Henrici domini mei et pro salute animae meae et omnium praedecessorum meorum et omnium fidelium Dei defunctorum.

Testibus hiis Magistro R., Alexandro de Sancto Martino, Hugone Giffard. Apud Perth.

CCLXI.

Charter by Robert, Bishop of St. Andrews, confirming the right of the Abbey of Dunfermlin to the church of St. Leonard at Perth,

A.D. 1150-1153.

Registr. de Dunfermelyn, No. 90.

ROBERTUS Dei gratia ecclesiae Sencti Andreae episcopus, Omnibus sanctae matris ecclesiae filiis salutem et episcopalem benedictionem.

Notum sit omnibus tam praesentibus quam futuris nos dedisse et praesenti munimine confirmasse ecclesiam Sancti Leonardi de Perth, ecclesiae Sanctae Trinitatis de Dunfermelyn in perpetuam elemosinam ut membrum ecclesiae Sancti Johannis Baptistae ejusdem villae.

Testibus Andrea episcopo de Katenes, Matheo archidiacono Sancti Andreae, Magistro Herberto, Johanne nepote episcopi et Radulfo de Boilestune, Adam capellano episcopi et Ricardo.

CCLXII.

Charter by Andrew, Bishop of Caithness, granting to the Abbey of Dunfermline the church of the Holy Trinity at Dunkeld, A.D. 1150-1153.

Registr. de Dunfermelyn, No. 123.

OMNIBUS Sanctae Matris ecclesiae filiis, Andreas Dei gratia Katenensis episcopus salutem et episcopalem benedictionem.

Noscant tam posteri quam praesentes me dedisse et praesentis scripti munimine confirmasse Deo et ecclesiae Sanctae Trinitatis de Dunfermelyn in perpetuam elemosinam pro salute animae Illustris David Regis Scotiae et praedecessorum suorum et successorum et pro salute animae meae ecclesiam Sanctae Trinitatis de Dunkelden cum omnibus his quae ad eam juste pertinent scilicet Fordouin, Dunmernach, Bendactehin, Cupermaccultin, Inchethurfin, Chethec.

Si quis autem ausu temerario contra hoc venire praesumpserit sciat se contra ipsum mundi Salvatorem niti et ideo nisi resipuerit, aeternae dampnationis sententiam incurrere.

CCLXIII.

Grant of the Priory of Lochleven by Robert the Bishop to the Priory of St. Andrews,

A.D. 1152-1153.

Registr. Prior. S. Andreae.

OMNIBUS Sanctae Matris ecclesiae filiis Robertus Dei gratia minister humilis ecclesiae Sancti Andreae salutem et episcopalem benedictionem.

Sciant omnes tam praesentes quam absentes nos dedisse et concessisse ecclesiae Sancti Andreae et Roberto priori, abbatiam de insula Lochlevene cum omnibus ad eam pertinentibus ad canonicos regulares constituendum in ea. Hoc est cum Findahin et omnibus suis appendiciis, et cum Portemuoch et suis appendiciis et cum molendinis ad pontem et cum uno molendino in terra Findachin et Chircness cum suis appendiciis omnibus. Et cum dimidia villa de Urechehem cum suis appendiciis et villa ecclesiastica de Sconin et suis appendiciis et cum XX^{ti} melis casei et uno porco de Marchinche et cum XX melis casei et IIII melis de breis et uno porco de Ecmor et cum XX melis ordei de Balecristin et cum XX melis casei et uno porco de Bolgin filii Thorfini et cum decimis de domo nostra de insula et cum decimis totius redditus quem recepturi sumus ad eandem domum et cum vestimentis ecclesiasticis quae ipsi Chelede habuerunt.

Et cum his libris, id est cum pastorali, graduali, missali, origine, sententiis abbatis Clareuallensis, tribus quaternionibus de sacramentis, cum parte bibliotecae, cum lectionario, cum Actibus Apostolorum, textu evangeliorum Prospero, tribus libris Salomonis, glosis de canticis canticorum, interpretationibus dictionum, collectione sententiarum, expositione super Genesim, exceptionibus ecclesiasticarum regularum.

His testibus Gregorio episcopo de Duneheldin et

Guillelmo abbate de Sancta Cruce et Thoraldo archidiacono et Matheo archidiacono, Aiulfo decano, Magistro Thoma, Magistro Herberto, Ricardo capellano episcopi.

CCLXIV.

Charter by Robert, Bishop of St. Andrews, granting to the Canons the right of electing a Prior.

Registr. Prior. S. Andreae.

ROBERTUS Dei gratia Sancti Andreae episcopus, Omnibus Sanctae Matris ecclesiae filiis salutem et episcopalem benedictionem.

Noscant tam posteri quam praesentes me concessisse et praesentis scripti munimine confirmasse Dompno Roberto primo Priori ecclesiae Sancti Andreae ejus successoribus prioratum canonicorum in ecclesia Beati Andreae Deo servientium eorum benedictionem et debitae obedientiae professionem.

Nihilominus etiam ejusdem loci fratribus liberam prioris electionem concedimus et cuicumque totum consenserit capitulum vel ejus pars sanior ipse in eorum regimen sullimetur, eique debitae professionis obedientiam servent subjecti.

His assistentibus testibus Willelmo epo. Morauie, Osberto abbate de Jedeuurth, Math. archid., Thoraldo archid., Roberto priore de Rostinoth, Aiulfo decano, Magistro Andrea, Johanne cancellario episcopi, Magistro Thoma, Magistro Hereberto.

CCLXV.

Charter by Robert the Bishop to the Priory of St. Andrews of a toft in Chilrimund.

Registr. Prior. S. Andreae.

ROBERTUS Dei gratia Sancti Andreae episcopus, Omnibus Sanctae Matris ecclesiae filiis salutem.

Sciant universi me dedisse et praesenti munimine confirmasse illam toftam super quam statuta est domus Archidiaconi Mathei in Chilrimund cum tribus toftis juxta aquam Kines tenure de Kininemoneth canonicis ecclesiae Sancti Andreae servientibus in perpetuam elemosinam.

Testibus his Matheo archidiacono, Magistro Hereberto, Johanne nepote episcopi, Adam capellano episcopi et Ricardo, Waltero dapifero.

CCLXVI.

Confirmation by King David of the grant to the Priory by Robert, Bishop of St. Andrews, of Kinninmount and a toft in Kilrimont.

Registr. Prior. S. Andreae.

David Rex Scottorum, Episcopis abbatibus comitibus justitiis baronibus vicecomitibus et omnibus fidelibus suis totius regni sui Francis et Anglicis et Scottis tam futuris quam praesentibus salutem.

Sciatis me concessisse et hac mea carta confirmasse Roberto priori et canonicis regularibus Sancti Andreae donationem quam episcopus Robertus eis fecit de Kinninmuneht cum omnibus appendiciis suis, et cum tofto de Kilrimuneht sicut carta praedicti episcopi testatur.

Quare volo ut praedicti canonici terram illam cum omnibus ad illam pertinentibus libere et quiete teneant et possideant sicut aliqua alia elemosina liberius et quietius tenetur et possidetur in regno meo.

Testibus Andrea episcopo de Cathen., Greg. epo. Dunkeld, Willo. abbate de Streuel., Hugone de Moreuilla, Dunecano comite, Herberto camerario, Radulfo de Sules, Nicholao clerico. Apud Struelin.

CCLXVII.

Charter by King David to the brethren of the Hospital of St. Andrews.

Registr. Prior. S. Andreae.

DAVID Rex Scottorum, Omnibus probis hominibus totius terrae suae salutem.

Sciatis me meam firmam pacem dedisse fratribus Hospitalis de Sancto Andreae ubicunque in tota terra mea venerint.

Quare defendo ne ullus eis aut rebus eorum injuste forisfaciat et si quis eis aliquod debitum debet praecipio ut cito juste reddatur eis et qui eis aliquod bonum pro amore Dei et salute animae suae impenderit ad sustentamentum pauperum peregrinorum a Deo recipiet remunerationes et a me maximas grates.

Testibus Herberto camerario et Symone filio Michaelis et Hugone de Camera. Apud Clacmanech.

CCLXVIII.

Charter by Robert, Bishop of St. Andrews, granting three tofts to the Priory.

Registr. Prior. S. Andreae.

ROBERTUS Dei gratia Sancti Andreae episcopus, Omnibus Sanctae Matris ecclesiae filiis salutem et episcopalem benedictionem.

Sciant universi me dedisse et praesenti munimine confirmasse ecclesiae Sancti Andreae et canonicis ibidem Deo servientibus in perpetuam elemosinam tres toftas in burgo Sancti Andreae videlicet toftam Elfgar et toftam Arnaldi et toftam Willelmi coci ita liberas et quietas sicuti fratres de templo Domini in Ierusalem liberius et

quietius in aliquo burgo tenent vel aliqui alii in regno regis Scottorum.

Testibus Matheo archidiacono, Magistro Hereberto, Magistro Thoma, Johanne nepote episcopi, Adam capellano et Ricardo, Rogero camerario, Gamello de Findathin.

CCLXIX.

Charter by Robert, Bishop of St. Andrews, granting to the Priory six shares of the offerings of the altar.

Registr. Prior. S. Andreae.

ROBERTUS Dei gratia Sancti Andreae episcopus, Omnibus Sanctae Matris ecclesiae filiis salutem.

Sciant omnes tam posteri quam praesentes nos concessisse et episcopali auctoritate confirmasse priori Sancti Andreae et fratribus ibidem Deo servientibus omnes partes oblationum altaris excepta septima quae de jure competit episcopo liberas et quietas et ab omni exactione immunes.

His testibus Willelmo episcopo Murauie, Osberto abbate de Geddeuuhte, Aiulfo decano, Magistro Andrea, Magistro Herberto, Johanne nepote episcopi, Magistro Thoma, Adam capellano.

CCLXX.

Charter by Walter de Lyndesey granting Erchel-dune to the Abbey of Kelso.

Original in the Treasury at Durham.

UNIVERSIS fidelibus sanctae ecclesiae, Gauterius de Lyndesey salutem.

Noverint tam futuri quam praesentes me dedisse et concessisse et hac mea carta confirmasse ecclesiae Sanctae Mariae de Kelcho et monachis ibidem Deo servientibus

ecclesiam de Ercheldune cum una carrucata terrae et caeteris omnibus ad illam ecclesiam pertinentibus in perpetuam elemosinam pro anima scilicet Regis David et pro anima Henrici Comitis filii ejus et pro anima Gauterii avunculi mei et pro anima mea et uxoris meae et pro animabus omnium praedecessorum et successorum meorum. Et Hospitale in eadem villa quietum erit ab omni redditu decimarum.

Concedente et testificante Willelmo filio meo.

Testibus Hugone clerico, Willelmo capellano, Johanne capellano de Sprostune, Ricardo sacerdote de Bothelden, Roberto scriptore.

CCLXXI.

Charter by Earl Malcolm, son of Earl Henry, to Brinkeburne, A.D. 1153.

Chart. de Brinkburne.

MALCOLM' de Gwarenne comes Northumbriae, Justitiariis suis et baronibus vicecomitibus et ministris et omnibus probis hominibus tam laicis quam clericis totius Northumberland salutem.

Sciatis me dedisse et concessisse Deo et Sanctae Mariae et ecclesiae Sancti Petri de Brinkeburne et canonicis ibidem Deo servientibus et servituris pro anima Henrici comitis dilectissimi patris mei necnon etiam et pro anima mea et animabus antecessorum meorum eandem salinam quam pater meus Henricus comes apud Werkewurthe in tempore vitae suae eis in perpetuam elemosinam dedit et concessit. Concedo etiam et confirmo praedictis fratribus totam donationem Rogeri Bertram scilicet locum qui dicitur Brinkeburne cum omnibus pertinentiis suis.

Volo etiam quatenus praedicti canonici de Brinkeburne praedictam salinam et omnia sua habeant et teneant

ita libere et quiete sicut ipsi aliquam elemosinam liberius et quietius in terra mea habent et nullus vestrum super plenarium forisfactum meum eis injuriam vel contumeliam inde conferat nec fieri permittat.

His testibus Gilberto de Umfravilla Willelmo de Vescy, Rogero de Merlay et aliis.

NOTES

NOTES

I.

In 1860 there was discovered in the Public Library of Cambridge, among Bishop Moore's books, a small MS. volume containing the Gospel according to St. John and portions of the other Gospels, in Latin, written in the ninth century. On margins and on blank pages are several writings in Irish and one in Latin, which were written not before A.D. 1150. A translation of the Irish was first printed by Mr. Cosmo Innes in a postscript to "Scotland in the Middle Ages," 1860; afterwards in the Saturday Review, 8th December, 1860; by Dr. Robertson in vol. 4, p. 545, "Illustr. Aber. and Banff." The whole MS. was published by the Spalding Club in 1869. Facsimiles of some of the pages were given in that edition and in the National MSS. of Scotland.

The "Book of Deer" was received with enthusiasm by Bradshaw, Stokes, Cosmo Innes, and by many others.

Dr. Reeves (Culdees, p. 26) spoke of it as a "precious book," and as "the oldest book of Scotland as well as the sole relique of its early literature."

Mr. Skene (2 Celt. Scot., p. 280) said "it is an invaluable record," and treated it as containing authentic history (3 Celt. Scot., p. 55). Mr. Robertson, Early Kings, 2, p. 499, has a long note on it.

Dr. Stuart who edited it for the Spalding Club said of the marginal writings:

"They enable us to discover the condition of the Celtic population of Alba, separated into clans, under the rule of the mormaer, with their chiefs or toisechs and their bishops or judges.

"We discover the division of the country into town-lands, with fixed boundaries, and can trace the different and co-existing rights in them, of the ardrigh, the mormaer, and the toisech.

"We are likewise furnished with notices of various kinds of burdens to which they were subject—the amount of some of these was determined by the number of davochs comprised in the territory, affording the earliest instance in our records of a system which, at a later period, formed the basis for apportioning the national taxes.

"The period embraced in these entries is towards the conclusion of the Celtic period, while the patriarchal polity had not yet given way to the feudal kingdom; the monastic system—at least in the northern districts—was yet flourishing, and the parish and territorial diocese were unknown. . . ." (Stuart's Preface, Book of Deer, p. vi.).

I venture to say that the value of these notitiae has been exaggerated. The account of the foundation of Aberdour and Deer is a picturesque tradition written nearly 600 years later than the time of St. Columba. The rest is little more than a list of donations of lands to an unnamed church of St. Drostan. There is little to fix the date of any of them. The record is meagre. It is not safe to draw from it conclusions as to the state of the people and of the church in Scotland prior to the twelfth century.

It has been assumed that this copy of the Gospels belonged to a Columban house at Deer. I doubt if there was a monastery at Deer prior to 1219. Nothing had been heard of it before the MS. was discovered, there is no trace of it in any record, and no local tradition of it at Deer itself; the only notice in the MS. which connects these donations with Deer is a fragment of a charter in Latin, of a late date, which is perhaps spurious.

It is almost impossible that a monastery continued to exist at Deer from the time of St. Columba till the reign of David I. A little more than a century after the death of St. Columba his clergy were expelled from the kingdom of the Northern Picts and though in many places they were replaced by other monks, the troubles of the eighth and ninth centuries destroyed most of the Northern monasteries, and in those ages Christianity was almost extinguished in Scotland and in the north of England.

These notitiae may have been written by an Irishman, one of the secular clergy serving at Aberdour or Deer, in the twelfth century, who may have collected the traditions of grants of lands to Drostan's churches, writing in Irish and using titles—Mormaer and Toisech—known in Ireland.

p. 1. **Notitiae.** By notitiae I mean writings made after an event or grant, recording how lands had been acquired. (Du Cange; Innes, Sketches of Early Scottish History, p. 30; Introduction to the Scottish National MSS.)

E. W. Robertson, Early Kings (I., p. 249, and II., p. 499): "Such

were the Irish charters in the Book of Kells, . . . the Welsh in the Book of Llandaff, and the Memoranda in the Register of the Priory of St. Andrews."

p. 1. **Gaelic.** Much interest was excited by the language in which the notitiae are written. It is Irish. Mr. Cosmo Innes (National MSS. of Scotland) said: "We cannot assert that it is identical with the Scotch Gaelic, for we have no other Scotch Gaelic writing within many centuries of its date."

Mr. Whitley Stokes (Saturday Review, 8th Dec., 1860): "There is hardly any distinction between the Gaelic of this MS. and the Irish of the same period. The important difference between modern Irish and Erse must accordingly have arisen since the twelfth century."

Mr. Skene assumed that the notitiae were written in the early part of the reign of David I., and said: "They thus furnish us with a specimen of the written language of the period, it is unquestionably identic with the written Irish of the period."

p. 1. **Columcille.** St. Columba was born circa A.D. 521. In 563 he crossed from Ireland with twelve pupils to the island of Iona and settled there; afterwards he went to the mainland and converted to Christianity, Brude the King of the Northern Picts.

Bede, Hist. Eccl. Gen. Angl. (Lib. III. cap. IV., 1 Plummer, 133):

"Siquidem anno incarnationis dominicae DLXV quo tempore gubernaculum Romani imperii post Iustinianum Iustinus minor accepit, venit de Hibernia presbyter et abbas habitu et vita monachi insignis, nomine Columba Brittaniam, praedicaturus verbum Dei provinciis septentrionalium Pictorum, hoc est eis quae arduis atque horrentibus montium jugis ab australibus eorum sunt regionibus sequestratae. . . .

"Venit autem Brittaniam Columba, regnante Pictis Bridio filio Meilochon, rege potentissimo, nono anno regni ejus, gentemque illam verbo et exemplo ad fidem Christi convertit."

See also the Anglo-Saxon Chronicle, under date A.D. 565 (Rolls edition, vol. 2, p. 16).

p. 1. **Drostan.** A life of St. Drostan is in the Breviary of Aberdeen.

"Beatus Drostanus regali progenie Scottorum ortus, cum ad maturam pervenisset aetatem, audito Dominicae incarnationis et passionis mysterio in ipsis puerilibus annis repletus Spiritu Sancto omnipotente Deo toto mentis affectu servire studuit agnoscentes ergo parentes puerum Drostanum summo desiderio Deo deditum, ipsum tradiderunt Beato Columbae avunculo suo in Hibernia conversanti, liberalibus studiis imbuendum. Cumque postea apud Dalquongale habitum religionis suscepisset defuncto ejus abbate ejusdem loci beatus Drostanus electus in abbatem ubi aliquamdiu commorans, monachis quibus tum prefuit exemplo vitae et doctrinae multum prodesse studuit.

"Aliquanto tempore elapso commissi sibi gregis curam non deferens sed summo pastori Christo committens, ad secreta eremi in partibus Scotiae se transtulit: ubi vitam eremiticam ducens in loco qui dicitur Glenu Eske ecclesiam construxit. Omnia pro Christo secundum evangelium reliquit qui de dignitate terrena sive honore regio quibus jure hereditario potiri potuit non curavit et terreno renuntians regno,

humanum renuit principatium ut ad Christi fugeret famulatum. . . . "Ossa viro sanctissimi confessoris Drostan apud Aberdon [Aberdour] in tumba reconduntur lapidea ubi multi diversi morborum languoribus praegravati ejus meritis restituuntur sanitati."

Adamnan in the Life of St. Columba does not mention Drostan. It is doubtful when he lived (Forbes, Kal., p. 327).

p. 1. **I**, the Island of Iona. Bede says of Columba: "Et praefatam insulam [Hy] ab eis in possessionem monasterii faciendi accepit. Neque enim magna est, sed quasi familiarum quinque juxta aestimationem Anglorum, quam successores ejus usque hodie tenent, ubi et ipse sepultus est."

To this Haddan and Stubbs add (Concil. 2, p. 107): "The Ann. Tigh. A.D. 574 record the death of Conaill Mac Comgaill King of Dalriada who in the 13th year of his reign 'oferavit insolam Ia Columcille.'"

The island is three and a half miles long, and one and a half broad, comprising about 2000 acres, of which 600 are under cultivation.

p. 1. **Abbordobboir** is Aberdour, a parish in a sheltered bay on the rocky shore of Buchan in Aberdeenshire. It was here that Drostan was buried, and the church was dedicated to him. In the beginning of the fifteenth century the bones of the saint were preserved in a stone chest, and many cures were believed to have been effected by them. In the face of the rock, near where the stream falls into the sea, is "Durstan's well." (Stuart's Book of Deer, Preface, p. 11; 2 Illustr. Aber. and Banff, p. 373.)

p. 1. **Bede the Pict, mormaer of Buchan.** The Gaelic is "acus bede cruthnec robomormaer buchan." Mr. Skene says the Irish form is Besaidh. Adamnan does not mention Bede, nor any mormaer. It would not be safe to infer from this notitia that an officer of the King or a ruler of Buchan was called "mormaer" in the sixth century. An Irish writer in the middle of the twelfth century might use an Irish word which indicated the great man of the district.

Buchan is the north-eastern division of Aberdeenshire. Originally it comprised the land between the Don and the Deveron. Except in the "Book of Deer" there is no evidence that there ever were mormaers of Buchan.

Mr. Stokes in the Saturday Review (8th Dec., 1860): "This legend is historically valuable first as preserving the title of Mormaer hitherto only known from the Irish Annals, and next as giving the Celtic name for Pict (Cruthnech), lastly as affording by the name Bede an argument, if such were now wanted, in favour of the Celticity of the Picts, for that Bede is the Gaulish, Bedaios (Orelli, 1964) can hardly be doubted."

p. 1. **The other town.** Deer is in Buchan in Aberdeenshire about twelve miles inland from Aberdour.

The only trace of a tradition which connects Drostan with Deer is a notice in the Aberdeen Almanac for 1703 "Dustan fair at Deer" on the 14th of December.

Dr. Pratt (Buchan, p. 128) suggested that the Columban house may have stood on the Chapel hillock near the Chapel well in Stuartfield. Old people were remembered who had spoken of these as St. Colm's hillock and St. Colm's well.

I have already said that I am not certain that there was a monastery at Deer prior to the Cistercian house founded in 1219, but many religious houses founded in Scotland before the twelfth century were deserted or suppressed; their existence may be inferred from the frequency of the word Abthania, which meant Abbatia. W. F. Skene (Notes to Fordun) mentions the Abthainries of Dull: Maddyrin: Melginch: Kylmichel and Lerenach: Old Munros: Monifod Ecclesgreig: Rossinclerach: Kyngorne: Lismore.

There were doubtless many others. It would not be wonderful if a little community at Deer was forgotten.

p. 2. **Mormaer.** Mr. Skene was of opinion that Scotia was of old divided into seven provinces—"Angus: Athol: Strathern: Fife: Mar: Moray: Caithness, and that the rulers of each of these originally bore the title of Ri (King), being inferior only to the Ardri (Supreme King), and that in the tenth century each such ruler was styled Mormaer." (3 Skene, Celt. Scot., p. 156.)

There are few instances of the title of Mormaer in the Celtic Chronicles. In the Pictish Chronicle (written A.D. 971-995), (Chron. P. and S., p. 9), A.D. 939: "Et post unum annum mortuus est Dubucan filius Indrechtaig Mormair Oengusa."

Annals of Tighernac (written circa A.D. 1088), "A.D. 976: Cellach son of Findgaine, Cellach son of Baireda, Duncan son of Morgaind, three Mormaers of Alban." (Chron. P. and S., p. 77; Collectanea de Rebus Albanicis, p. 265.)

Annals of Buellan and Annals of Ulster: "1014 At the battle of Cluantarp, slain on the part of the Irish, Domnale son of Eimin son of Cainig Mormaer of Marr, in Alban." (Collect. de Rebus Alban., p. 271; Chron. P. and S., p. 368.)

Annals of Tighernac, A.D. 1030. "Findlaec mac Ruaidhri Mormaer Moreb a filiis fratris sui Maelbrigdi occisus est." (Chron. P. and S., p. 77.)

"A.D. 1032, Gillacomgain son of Maelbrigde, Mormaer of Moray, burned with 50 of his followers." (Chron. P. and S., p. 368.)

"A.D. 1215, 'Muredach son of the Mormair of Lennox' slew the chief of the Cenel Fergusa, with his brother, with great slaughter." (Chron. P. and S., 374.)

I venture to think that there is no Scottish evidence that there was a Mormaer over each province of Northern Scotland.

Angus. The earliest mention is Dubacan filius Indrechtaig Mormaer Oengusa, who died A.D. 939. Some connect him with Gillebrith, Earl of Angus (1135-1197), imagining that Dufagan Comes, who appears as a witness to Alexander I. Charter to Scon, was an Earl of Angus, a descendant of the Mormaer who died in 939. Even if the Scon charter be genuine, there is nothing to show that 'Dufagan Comes' was of Angus nor that the father of Gillebrith, Earl of Angus, in the twelfth century, was Dufagan.

Athol, Strathearn, Fife. There is no record of Mormaers of these districts.

Mar. There is a record of one Mormaer of Mar, between whom and the first earl no connection has been traced.

Moray. The notice in the Annals of Tighernac is ambiguous. It has been translated "Mormaer of the sons of Croeb" and "Mormaer

Moreb." Taking it as Mormaer Moreb, that and the notice under date A.D. 1032 are Irish evidence that in the eleventh century there were Mormaers of Moray.

Caithness. There is no record of a Mormaer of Caithness. Caithness did not form a part of Celtic Scotland; it was held by the Norsemen.

If there were mormaers of Buchan, it seems to me probable that they were officers of the king, collectors of the royal revenues and dues.

p. 1. **And left it at his word.** The misfortunes of the house of Keith Marischal, were attributed to its having appropriated the lands of the Cistercian Abbey of Deer, which it is said were given with these words: "Cursed be those that taketh this away from the holy use to which it is now dedicat." (View of the Diocese of Aberdeen, Coll. Aber. and Banff, p. 191.)

p. 1. **Deara.** The Gaelic word for a tear is 'deur.' The derivation given in the Notitia has been rejected by Gaelic scholars.

p. 2. **Toisech.** Toisech is a Gaelic word meaning a leader. (Skene's Notes to Fordun, p. 446; 2 Riddell, p. 574; 1 Chal. Caled., p. 451).

p. 2. **Comgeall . . . to God and to Drostan.** Comgeall, Moridach, Caerill, Culi, Baten, Domnall, Girec, Maelbrigte, Cathal, Morcunt and Morcunn, Ruadri, Maelcoluim, Culeon, are forms of Pictish and Irish Gaelic names. Though Mr. Skene (3 Celt. Scot., p. 56) was of opinion that the donors were successively mormaers of Buchan, he acknowledged that "there is nothing to shew what the connection of these mormaers with each other was, nor when they lived."

p. 2. **Orti to Furene,** etc. The lands "from Orti to Furene" and Achad-naglerech have not been identified. Altere may be Altrie: Bibdin may be Biffie; Pett in Mulenn may be an old mill on the Ugie.

p. 2. **And it was he who was mormaer and was toisech.** This is, I understand, the literal translation of "acusbahé robomormair acus robothosec." Skene preferred "the one was mormaer and the other was toisech."

p. 2. **Maelcolouim son of Cinaed.** King Malcolm Mackenneth; he reigned A.D. 1005-1034.

p. 2. **Bibdin and Pett meic Gobroig.** The king's share in Bibdin, a land which Domnall son of Ruadri and Maelcoluim son of Culeon had given to the church.

p. 2. **Two Davochs of Upper Rosabard.** A davoch was a measure of land; it usually comprised four homesteads or small farms—each a ploughgate. (Gordon of Straloch, Coll. Aber. and Banff, p. 10; Skene, Celtic Scotland, 3, p. 223; Innes, Scotch Legal Antiquities, p. 271.)

p. 2. **Maelcoluim son of Maelbrigte.** It is said that here we have a man known in history. Ruadri, mormaer of Moray, left two sons, Finlaec and Maelbrigte. Finlaec was the father of Macbeth; Maelbrigte was the father of Malcolm and Gilcomgain, who killed their uncle Finlaec in 1020. Malcolm died in 1029.

Dr. Stuart said: "If the lands conveyed by them were in the neighbourhood of Deer, as is likely, it is not easy to understand how the

Mormaers of Moray could have any title as such to lands in a province obviously subject to their rivals the kings of Alba" (Preface, Bk. of Deer, lii.). Robertson, Early Kings, 2, p. 500: "The grants of Malcolm Malbride and of Lulach's son Malsnechtan, would appear to mark the tenacity with which the family of Moray clung to their claim of exercising proprietary rights in that province in which both the kings who sprung from their race met their death."

p. 2. **Malsnecte son of Luloeg.** In a tract on the Scots of Dalriada (Chron. P. and S., p. 317) there is a pedigree: "Maelsnechta mac Lulaig mic Gillicomgan mic Maelbrigde mic Ruadri mic Morgaind mic Domnall mic Cathmail mic Ruadri mic Aircellach mic Ferchair fhoda." Annals of Ulster (Chron. P. and S., p. 370), A.D. 1085, "Maelsnectai mac Lulaigh ri Muireb suam vitam feliciter finivit," which is supposed to mean that he became a monk. Skene and Stuart and Sir Archibald Dunbar identify Lulaigh ri Muireb with Lulach, who was king of Scotland for six months in 1057.

There is an obscure passage in the Anglo-Saxon Chronicle, 2, p. 183, A.D. 1078: "In this year King Malcolm won the mother of Maelslaet . . . and all his best men and all his treasure and his cattle, and he himself escaped with difficulty."

On the authority of that passage, Freeman, Nor. Con., IV., p. 662; Robertson, Early Kings, I., p. 139; Skene, Celt. Scot., I., p. 427, and Sir Archibald Dunbar, Scottish Kings, p. 28, narrate a revolt of the Moray men under Malsnechtan in 1078, and a sanguinary and decisive victory for Malcolm, followed by Malsnechtan's retreat to Lochaber, and his death there seven years afterwards.

p. 2. **Domnal, son of Mac Dubbacin.** This seems to record the gifts of three brothers, Domnal, Cathal, and Cainnech who gave lands, while Cathal besides gave his toisech's share and a dinner each Christmas and Easter to a hundred people who came to the church. Cainnech may be the father of Gartnait. (No. XCV., ante, p. 77.)

p. 2. **Alterin alla,** etc. Skene reads "Alterin of Ailvethenamone" and "Eddarun."

p. 2. **All these offerings.** The words from "in freedom . . . judgment" are written in a different ink. Presumably these donations and this exemption from mormaers and toisechs were granted after King Grig (circa A.D. 880) "dedit libertatem ecclesiae Scoticanae quae sub servitute erat usque ad illud tempus ex consuetudine et more Pictorum." (Chron. P. and S., p. 151.)

p. 2. **And the Lord's blessing,** etc., is taken from another page of the MS.

p. 2. **After them,** then comes the grant by Gartnait, No. XCV., ante, p. 77.

p. 2. **Donchat, son of Mac Bethad.** The editor of Illustr. Aber. and Banff, 4, p. 548, thinks that this grant was made between A.D. 1132-1153. Perhaps it was attested by witnesses.

p. 2. **Achad Madchor** may be Auchmachar, three miles from Deer.

p. 3. **Scale Merlech** may be Skellymarns, about a mile beyond Auchmachar to the north.

p. 3. **Clan Canan.** Dr. Stuart presumes that the Clan lived in Buchan, near enough to Deer to give the toisech an interest in the Monastery. **Alden** may be Aden; if so, the description perhaps includes part of the high ground at Pitfour.

p. 3. **Against it.** Following this is the grant by Colbain the mormaer and his wife, No. CVII., ante, p. 84, and then the Latin charter No. CCXXIII., ante, p 180.

II.

This letter is not in Quercetanus' edition of Alcuin's works published in 1617.

A part of it was printed by Archbishop Ussher in De primordiis Brittan. Ecclesiae, p. 669, and in Froben's edition of Alcuin, Vol. I., p. 297, published in 1777.

Haddan and Stubbs (2 Concil., p. 8) printed the whole letter from a MS. in Cott. MSS. Vesp. A. 14, fol. 160.

Alcuin desires the prayers of the monks of Candida Casa. In poems sent to him by his pupils at York he had lately heard of the learning and holiness and miracles of St. Ninian. He has sent a silk cloth to cover the shrine.

Alcuin was born at York, A.D. 735. He described himself as "ab Eboracensibus ab infantia usque ad virilem aetatem educatum." About 781 he went to Aachen to assist the Emperor Karl the Great in his reform of education.

He spent two years in England, in 790-92. Leaving Aachen about 796 he lived at Tours as abbot of St. Martin's, and afterwards as head of the school, till his death, 19th May, 804.

p. 3. **Diaconus.** Alcuin in many of his letters styles himself "humilis levita," in others "diaconus."

p. 3. **Fratres Sancti Niniani Candidae Casae.** These were the monks of the monastery of Candida Casa in Wigtonshire.

The earliest notice of St. Ninian is in Bede, lib. 3. cap. 4, written circa A.D. 731 (Plummer's edition, I., p. 133).

"Namque ipsi australes Picti qui intra eosdem montes habent sedes multo ante tempore, ut perhibent, relicto errore idolatriae, fidem veritatis acceperant praedicante eis verbum Nynia episcopo reverentissimo et sanctissimo viro de natione Brettonum qui erat Romae regulariter fidem et mysteria veritatis edoctus; cujus sedem episcopatus, Sancti Martini episcopi nomine et ecclesia insignem, ubi ipse etiam corpore una cum pluribus sanctis requiescit, jam nunc Anglorum gens obtinet. Qui locus, ad provinciam Berniciorum pertinens, vulgo vocatur ad Candidam Casam, eo quod ibi ecclesiam de lapide, insolito Brettonibus more fecerit."

Dr. Plummer's note to this is (2 Bede, p. 128): "It is to be noted that Bede does not profess to give the account of St. Ninian as more than a tradition 'ut perhibent.'"

The date when St. Ninian lived has not been fixed with certainty. Ailred stated that the church of Candida Casa was being built when St. Martin died (circa A.D. 400), but Ailred's Life of St. Ninian is historically worthless: he wrote more than 600 years after St. Martin's death.

Several writers who are entitled to the highest respect (Bishop Forbes, W. F. Skene, and Dr. Plummer) are of opinion that about A.D. 500 Candida Casa at Whithern was a "great seminary of secular and religious instruction." They identified it with a "Magnum Monasterium" called "Rosnat." The evidence for this seems insufficient, but whether Rosnat was at Whithern or in Ireland, it must have been a poor school of virtue.

Drust, King of the Britains (A.D. 523-526), sent his daughter Drustice to Rosnat to be taught by Mugent, a famous teacher. Drustice fell in love with a fellow pupil, Reoch. Another student personating Reoch got the princess with child. Mugent ordered a youth to lie in wait in the church to strike the seducer with an axe, and the blow fell on Mugent's own head. His pious prayer on the occasion is preserved (Kalendars of Scottish Saints, p. 292). Bishop Forbes says of this story: "It is a little picture of early manners which enlivens the scene."

In the sixth century the church founded by St. Ninian and dedicated to St. Martin had fallen into decay (2 Concil., p. 5). It is probable that a new church (dedicated to St. Ninian) was built by St. Monenna (who died A.D. 517). Galloway again became heathen (2 Bede, p. 343). In the eighth century Christianity was restored, and a Bishopric was founded at Candida Casa, of which Pecthelm was Bishop, about A.D. 731. (Bede, Hist. Eccl., lib. v. ch. 23.) He died in A.D. 735 (2 Plummer's Bede, p. 343, 2 Concil., p. 7). There was a succession of Bishops which ended with Badulf, who lived until A.D. 803 (2 Concil., p. 7).

After the death of Bishop Badulf the church and monastery fell into ruin. The Bishopric with a chapter of canons was revived in the reign of King David I. (Nos. LXIII. and LXIV., ante, pp. 53-54).

p. 3. **Per carmina metricae artis.** Froben says: "Utinam (ita optandum cum commentatore Antverpiensi) ad nos pervenissent carmina illa! cum enim auctor illorum ad S. Niniani aetatem accedat propius, certiora haberemus monumenta ad illustranda ejusdem gesta: quae enim nunc supersunt non nisi dubiam notitiam actorum sancti episcopi subministrant."

p. 3. **Nostros discipulos Eboracensis ecclesiae.** Alcuin was a teacher at York for many years. There are several letters from him "ad fratres Eboracenses."

p. 4. **Nyniga corpus [velum].** The MS. has "suum." Haddan and Stubbs read "velum" (2 Concil., p. 8), Dr. Plummer suggested "sagum" (2 Bede, 129).

The Irish said that St. Ninian died at Chiam Conaire in Leinster, but the Scots believed that the Saint died and was buried at Whithern. There was a constant stream of pilgrims to St. Ninian's grave at Whithern until the Reformation (Bp. Forbes' Kalendars, pp. 1 and 11).

III.

This notitia is in the Register of the Priory of St. Andrews among other documents relating to St. Serf's island, compiled "ex antiquis donationibus et collationibus Regum Scotiae ad ecclesiam Sancti Servani de insula Loch Leuin . . . et ea quae in subsequentibus breviloquio tangemus omnibus ambagibus abjectis et circumscriptis veteris voluminis antiquo Scotorum idiomate conscripti. . . ." It was printed in the Bannatyne Club Edition of the Register, p. 113; in Reeves' Culdees, p. 125; and in 2 Concil., p. 147.

By this the abbot and brethren of St. Serf's island, about A.D. 950, resigned their property to Bishop Fothad, on condition that the Bishop should give them food and clothing and his episcopal protection.

p. 4. **Brude filius Dergard.** Skene (Celt. Scot., 2, p. 258) was of opinion that King Brude, who befriended St. Serf, was not the last King of the Picts (who died A.D. 843), but an earlier King Brude, son of Derili, who died A.D. 706.

"If St. Serf was a contemporary of St. Adamnan, it is impossible that the King who assisted him was the last King of the Picts. If the story of King Brude and St. Serf be not altogether legendary, the King who befriended him was Brude who died in 706."

A chronicle of the Picts and Scots (Chron. P. and S., p. 201) records "Brude fitz Dergert XXXI. an. En quel temps vient Sains Servanus en Fiffe."

Wyntoun, v., 12, line 5199:

Brwde Dargardys sowne, in Scotland
Kyng oure the Peychtyis than regnand
Was movyd in gret crwallte
Agayne the Saynct and his menyhe
. . . . . .

Bot this Kyng ourtakyne wes
Suddanly wyth gret seknes
And at the prayer specyalle
Off Saynt Serffe he wes mad hale
The Kyng than fell fra that purpos
And gave till Saynt Serffe all Culros
. . . . . .

Syne fra Culros he past ewyn
To the Inche off Lowchlewyn
The King Brud off devotyoune
Mad till Saynct Serff donatyowne
Off that Inch. . . .

Dr. Reeves (Culdees, p. 125) holds that the Brude who in this notitia is said to have given the island of Loch Leven to St. Serf was the last King of the Picts, Brude, son of Feredach, who reigned for one year and died in 843, "the chronological note of his having

been the last King of the Picts is a stronger traditional feature than his parentage."

p. 4. **Insulam Lochleuine.** Loch Leven is an inland lake in Fife and Kinross shires. The island is now known as St. Serf's; it is about 80 acres in extent, 5 furlongs long, and 4 furlongs wide at its widest part.

p. 4. **Sancto Servano.** It is supposed that St. Serf lived in the latter part of the seventh century. His life is given by Wyntoun (5. 12, line 5138 *et seq.*). In Bishop Marsh's Library in Dublin is the MS. of which Wyntoun made use, which Mr. Skene printed (Chron. P. and S., p. 412). See also Forbes' Introduction to Life of St. Kentigern, p. lxv. The earlier part of the life is legend; possibly it begins to be authentic when it says that Servanus left Rome, and after perils of journey came to the Firth of Forth; that there he met Saint Edheunanus, who ordered him to convert the people of Fife; that Brude, king of the Picts, gave him Culenros, where he dedicated a cemetery and a church; that afterwards Edheunanus gave him the island in Loch Leven, where he founded a monastery.

p. 4. **Keledei.** The writer of this notitia applied to the early settlers on the island in Loch Leven the name Keledei, by which they were known when he wrote. But the name was not applied to hermits until the end of the eighth century. (2 Concil, p. 118, and Reeves' Culdees, p. 8.)

p. 4. **Precario.** Precarium was an alienation of property (commonly with a view to protection at the hands of the alienee), the alienor retaining the usufruct in whole or in part. It was a grant reserving the granter's liferent. (2 Concil., p. 147.)

"On appelait précaire, au moyen âge, toute concession viagère des biens de l'Eglise, soit qu'on recommandait sa propriété et qu'on la reprit seulement en usufruit, soit que l'Eglise soignait une donation à la propriété qu'elle rendait en usufruit.

"On sait que la durée du précaire était déterminée et qu'elle se bornait d'ordinaire à la vie du preneur et à celle de sa femme, s'il était marié.

"Il n'était pas rare cependant que les donateurs réservassent le précaire à leurs descendants, avec obligation de payer la redevance à laquelle ils étaient eux-mêmes assujettis." (Aurelien de Courson, Chartulaire de l'Abbaye de Redon. Prolégomène, p. 297.)

p. 4. **Fothath filio Bren.** Fothad, "in Scottis summus episcopus." Before A.D. 955 (2 Concil., 148; Chron. P. and S., p. 190), he was expelled by King Indulf, who reigned from A.D. 954–962. The Bishop died A.D. 963-970. (2 Concil., p. 148; Skene, Celt. Scot., 2, 327; Keith, p. 5; Reeves, Culdees, 125.) The cover for his copy of the Gospels was preserved and bore this inscription: "Hanc evangelii thecam construxit aviti Fothud, qui Scotis primus episcopus est" (Keith, Pref. xvii).

IV.

This is in the Register of the Bishopric of Aberdeen. A. fol. 47, B. folio 36. Spalding Club Edition, p. 3. (A) The Registrum Album

was compiled not earlier than A.D. 1350, (B) was written as late as 1520–1550.

The charter is spurious (2 Skene, Celt. Scot., p. 379; 1 Rob., Early Kings, p. 99; 1 Hill Burton, p. 36; Cosmo Innes, Preface to Reg. Epis. Aber., xi; 2 Concil., p. 154). It is of no consequence whether the author meant to pass it off as a charter of Malcolm II. or of Malcolm III. I think it was intended to be read as one by the earlier King.

p. 4. **Malcolmus Rex Scottorum.** The tradition was that the monastery of Mortlach was founded by Malcolm II. as a thank offering for a victory in 1010. "Anno regni sui septimo de multimodis sibi collatis a Deo beneficiis continue recolens, quid illi retribueret, mente solicita revolvit. Spiritus Sancti tandem operante gratia, divinum augere cultum corde concipiens, novam episcopalem [constituit] sedem apud Murthillach, non procul a loco, quo, superatis Norguigensibus victoriam obtinuit, ecclesiis et praediorum redditibus plurimis praedotatam" (Fordun, 4. 40).

Boece, Bk. XI., Ch. 16, wrote that, in a battle at Mortlach between Malcolm II. and the Northmen, at a moment when the result was uncertain, the King raised his hands towards a chapel of Saint Moloc and prayed for aid, and vowed to build a church, and, being victorious, he founded the monastery.

p. 5. **Episcopo Beyn . . . sedes episcopalis.** (Fordun, 4. 40:) "Hujus autem dyocesis sive territorium ab amne sive fluvio qui dicitur Dee transversum protendens usque fluvium de Spee, . . . ad hanc sedem primus episcopus vir Sanctus et episcopatu dignus cui nomen Beyn ad regis instantiam a Domino Papa Benedicto promotus est."

Haddan and Stubbs consider that Mortlach was an Episcopalian Monastery rather than an Episcopal See.

Of Bishop Beyn, Skene, Celt. Scot., 2, p. 380, says, "In the Scottish Calendars, St. Beyn appears both on 26 October and on 16 December. The Breviary of Aberdeen has on 26 October: 'Beyn Episcopus,' and in Adam King's Calendar he is called Bishop of Murthelach, but in the Martyrology of Aberdeen he is identified with St. Beyn of Fowlis in Strathern, who, we learn from the life of St. Cadroë, lived in the ninth century. Dempster in his Menologium has him also at 16 December as Bishop of Murthlach, but this is also the day of St. Mobheoc in the Irish Calendar, whose name was also Beoan, . . . he must have lived before the eighth century."

p. 5. **Morthelach** is a parish in the centre of Banffshire. It is probable that a church dedicated to St. Moloc existed before the time of King Malcolm II. That Saint (known also as Lughaid of Lismore) is said to have been a pupil of St. Brandan. He died A.D. 593; his festival was on the 25th of June (Ann. Tigh., Chron. P. and S., p. 67).

p. 5. **Ecclesiam de Cloueth**: Clova in Aberdeenshire, now united with Kildrummy.

p. 5. **Ecclesiam de Dulmech.** Either Drumoak, which in early times was called Dulmayok, while the common pronunciation was Dalmaik, or a chapel in the parish of Glass.

p. 5. **Octavo die mensis Octobris anno regni meo sexto,** A.D. 1010 or if by Malcolm III., A.D. 1063.

V.

In the Register of the Priory of St. Andrews, fol. 51 a, Bannatyne Club Edition, p. 114, it is headed "qualiter Machbet filius finlach et Gruoch dederunt Sancto Servano Kyrknes."

It records a gift of the land of Kirkness by Macbeth and Gruoch, King and Queen of Scotland, A.D. 1040-1057. The monk proceeded to describe the boundaries of Kirkness, one of which in his day was called the Irishmen's Stone, so he digressed to tell how, in the reign of Malcolm III., it got that name.

p. 5. **Macbeth filius Finlach** began to reign 14th August, 1040—the day on which he murdered King Duncan—and reigned until 15th August, 1057, when he was killed in battle.

p. 5. **Kyrkeness.** It lies in the parish of Portmoak to the south-east of Loch Leven. The grant was repeated by King Donald Bane.

The boundaries of Kirkness were frequently in dispute (see No. LXXX., ante, p. 66, and Reg. Prior. St. And., pp. 1, 6). The Priors of St. Serf's resided at the Prior's Ward in Kirkness. Kirkness passed with the other lands of the Priory to the Priory of St. Andrews. After the Reformation the superiority was held by the Earls of Morton for several generations. In 1591 Kirkness, with the Manor-house of the Priors, belonged to the Aytons of Kinaldie.

p. 5. **Pethmokanne.** Haddan and Stubbs suppose that it is now called Portmoak. I doubt if 'Pett' could become 'Port. Pettmochan is probably the field of Mochan, possibly the Mochan who burned the Irishmen. **Moneloccodhan,** may be the "Maresium de Monlochty" from which flows the water of Lochty, mentioned in a perambulation of the lands of Kirkness and Lochore in 1369 (Reg. Prior. St. And., p. 3). One of the boundaries mentioned on p. 1 of the Register is a marsh "which is called Polnevere, and in the vulgar 'the water of Louchty.'"

p. 5. **Hinhirkethy,** probably Inverkeithing.

p. 5. **Saxum Hiberniensium,** may be the "lapis acer qui dicitur in vulgari Lykyrstyne," a boundary of Kirkness (Reg. Prior. St. And., p. 1).

p. 5. **Malcolmus Rex filius Duncani,** King Malcolm (Canmore) III., reigned 1057-1093.

p. 6. **Cum omni libertate . . . suffragiis.** This is on the same folio of the Register (51 a). It is headed "De libertate Kyrkenes collata a rege Macbet filio finlac et a Gruohc Regina."

The reference to the King's son, to 'vicecomites' and to the duty of repairing bridges, and to 'exercitus and venatio,' seem to me to show

that this part of the notitia was composed as late as the reign of King David I.

It does not appear that the making and mending of bridges was a burden on land in Celtic Scotland. It was part of the Saxon law of land tenure in England as early as A.D. 694 (2 Rob., Early Kings, p. 336; Lappenburg, Thorpe's Transl., I., p. 198).

We find traces of its being enforced in Scotland in the reigns of David I. and his grandsons.

The church sought the exemption of the tenants and vassals of Church lands from military service, except when a levy of all men capable of bearing arms was called for. As a later charter by King David to the Bishop of Caithness expresses it, "libera et quieta ab omni servitio excepto communi exercitu."

"The Feacht and Sluaged (expeditio et exercitus) consisted of a general obligation, originally upon the members of the tribe and afterwards upon the possessors and occupiers of what had been tribe territory, to follow their superiors and chiefs as well as the Ardri or sovereign in his expeditions and wars. . . . These obligations seem to have constituted what is called in charters Scottish service (*servitium Scoticanum*) and were of two kinds, internal and external, the one representing the Feacht or expedition, the other the Sluaged or hosting." Skene, Celt. Scot., 3, p. 234.

Venatio, I understand to be the right of the king or overlord to hunt over his vassals' land. In David I.'s charters there are several instances of the right of forest and of exemption from venatio.

p. 6. **Cum summa veneratione**. This is in the Reg. Prior. St. Andr., fol. 5 a, Bannatyne Club Edition, p. 12.

p. 6. **Bolgyne filii Torfyny**. I think that the word "terram" has been omitted, the land of Bolgyn son of Torfyny. Afterwards the land was called Bolgyn (Bolgie in the parish of Abbotshall). Malcolm III. granted Bolgyn to the Abbey of Dunfermline (Reg. Dunf., 1, 2). That gift was confirmed by David I., Malcolm IV., William, Alex. II., and Alex. III. In the Register of the Priory of St. Andrews (pp. 15 and 178), and in the Register of Dunfermline (p. 421), it appears that the Abbey of Dunfermline received from Bolgyn half a mark annually, the right to which, John, Abbot of Dunfermline (ob. A.D. 1251), surrendered to the Priory of St. Andrews (p. 421, Reg. Dunferm.).

While Dunfermline had right to half a mark from Bolgyn, the Priory of St. Serf's had right to twenty meli of cheese and one pig from the same land.

In the fifteenth century the lands of Bolgyn were the property of William de Berkeley, Lord of Cullerney (in Dunbog, Fifeshire). He had a prolonged litigation with the Prior of St. Andrews regarding delivery of eight bolls of meal and a pig annually at Martinmas. The litigation lasted for years (Reg. Prior. St. And., pp. 6, 7, 8, 9, 10, 11-14, 15, 16, 19, 20, 21). William de Berkeley was obstinate, and would not pay. All steps were taken against him, even to excommunication.

The family of Barclay lived at Cullerney for at least 450 years.

A David de Berkeley was at Cullerney as early as 1350. Six

generations later, about 1510, there was a Sir David Barclay, and some generations after him, in 1630, another Sir David.

Robert Barclay of Cullerney was fined by Cromwell. In 1747, the family was represented by a lady, Antonia Barclay of Cullerney, who married one of her name, Mr. Harry Barclay; they got £215 as compensation for the abolition of the office of Hereditary Bailie of the Regality of Lindores.

The Barclays sold the estate to Balfour of Fernie; the castle of Cullerney is a ruin.

VI.

This is on folio 51 (b) of the Register of the Priory of St. Andrews; p. 116 of the Bannatyne Club Edition. Reeves, Culdees, p. 128; 2 Concil., 151; Keith, p 5, footnote c.

Malduin was Bishop of St. Andrews A.D. 1028–1055.

In the Annals of Tigernac under date A.D. 1055, "Maelduin, son of Gillaodran, Bishop of Alban, the giver of orders to the Gael of the clergy, died in Christ" (2 Skene, Celt. Scot., p. 343; 2 Concil., p. 153).

Wyntoun, VI., 20, line 2505:

> "Alwyne that tyme yherys thre
> Wes Byschape off Saynct Andrewys Se
> Maldowny—MakGillandrys than
> (Off lyff [he] wes a haly man)
> Wes Byschope sevyn and twenty yhere
> Off Sanct Andrewys—quhen he on bere
> Wes brocht, efftyr hym than Byschope
> Twalda wes."

p. 6. **Markinch** is in Fifeshire, 4¼ miles east of Leslie. There is a tradition that there was a Culdee cell on the northern side of a ridge in the parish.

From this notice it appears that in the eleventh century the church of Markinch "cum tota terra" belonged to the Bishop of St. Andrews, who granted it to the Keledei of St. Serf's island. Towards the end of King David's reign the monastery of St. Serf's and all its possessions including Markinch were granted to the Priory of St. Andrews.

In the latter part of the twelfth century Duncan, Earl of Fife, granted the church of Markinch to the Priory of St. Andrews, which grant was confirmed by Robert, Bishop of St. Andrews (Reg. Prior. St. And., pp. 43, 152, 242), with the pertinents, *i.e.* twenty meli of cheese and a pig.

Egius the son of Hugh the son of Gillemichel, Earl of Fife, granted to the Canons of St. Andrews the church of Markinch with its tithes and a toft on the east of the church (Reg. Prior. St. And., p. 216).

Between A.D. 1203–1228, Malcolm, Earl of Fife, confirmed his father Earl Duncan's grant of the church of Markinch to St. Andrews (p. 244),

and the same Earl granted to God and the church of "Modhrust de Markinge" a toft of one acre (p. 245).

On the 14th day before the Kalends of August, 1243, David, Bishop of St. Andrews, consecrated the church of St. John the Baptist and of St. Moldrust, confessor, at Markinch (p. 348). Bishop Forbes says that St. Modhrust is St. Drostan.

VII.

On folio 51 (b) of the Register of the Priory of St. Andrews, Bannatyne Club Edition, p. 116. This was printed by Keith, p. 6, and by Reeves, Culdees, p. 128, and in 2 Concil., p. 153.

Tuthald was Bishop of St. Andrews for four years, A.D. 1055–1059 (or A.D. 1061–65). Keith, p. 4; 2 Skene, Celt. Scot., 344; Wyntoun, VI., cap. XX., line 2510.

p. 7. **Sconyn** is a parish of about 4000 acres, on the south coast of Fife, forming the west side of the bay of Largo.

As part of the possessions of the Keledei of St. Serf's island the church passed by the grant of King David and of Robert the Bishop to the Canons of the Priory of St. Andrews (Reg. Prior. St. And., p. 43). The right of the Priory to the "villa ecclesiastica de Sconyn," and to the church, was confirmed by Pope Lucius III. (p. 59) and by later Popes.

The Canons, fearful lest the old title was insufficient, obtained from Duncan, Earl of Fife, a grant of the church of Sconyn with the land belonging to the church, and the tithes and the offerings, and all rights and benefits (p. 241). This was confirmed by King William the Lion (p. 220) and by Malcolm the son of Earl Duncan (p. 244).

A grant of 20 merks annually from the revenue of the church of Scoonie towards the building of the Cathedral was made by William, Bishop of St. Andrews. The vicar had to take an oath that he would pay this half-yearly, under penalty of 100s. for each month's default (p. 160). Bishop David in 1247 enlarged the grant to the building fund "salvo altaragio vicariis qui pro tempore in eadem ecclesia ministraverint cum terram et decimam garbarum de Kinmuc." The Prior and the Convent were to apply the rest of the fruits of the benefice "in usus fabrice ecclesie" (p. 168).

29th May, 1243, Bishop David consecrated the church to St. Memme Virgin.

The patronage and the church land remained the property of the Priory till the Reformation.

The lands of Scoonie belonged to the Priory of St. Andrews by a separate title (Reg. Prior. St. And., pp. 51, 54, 58, 122, 131, 143, 145, 150, 190, 206, 214, 233, 329).

VIII.

In the Register of the Priory of St. Andrews, fol. 51 b; Bannatyne Club Edition, p. 115, headed "de villa Ballecristin et ejus libertate."

Malcolm III. was the son of King Duncan. He was born about 1031. After his father's death he lived in England for about seventeen

years. On the defeat and death of Macbeth and Lulach, Malcolm became King of the Scots in March, 1057.

It is believed by some that about A.D. 1165 he married Ingibiorg, the widow of Earl Thorfin, and by her was the father of King Duncan. About the year 1170 he married Margaret, daughter of Eadward Ætheling, and niece of King Edward the Confessor, and had six sons and two daughters.

This notitia records the grant of the vill of Balcristie which the King and Queen made to the Keledei of Lochleven.

Lord Hailes, Annals, I., p. 35, said: "It is remarkable that Malcolm and his Queen, zealous as they were for religion, made few donations to the church. They began an endowment of Benedictines at Dunfermline, and granted an inconsiderable portion of land to the Culdees in Fife. No other traces of their liberality to ecclesiastics are to be discovered." This is not accurate. Queen Margaret's biographer says that the king and queen built a "nobilis ecclesia" in honour of the Trinity at Dunfermline, which they decorated with costly gifts, that they gave a very beautiful crucifix to the church of St. Andrews, and that the queen built on both sides of the Forth houses for the crowds who went to St. Andrews to pray.

We know too that Queen Margaret restored or rebuilt the church in Iona, and settled monks there.

She built the chapel in the Castle of Edinburgh.

Queen Margaret visited the church of St. Laurence. "De B. Laurentio dulce esset memoratu . . . qua poena arceatur omnis feminarum accessus ab ecclesia, quae ejus apostolatui exstructa et consecrata est in Scotia: ut nuper Regina Scotiae, inclita Margareta, cum oblationibus aditum tentare ausa, subito sit percussa atque repulsa sed clericorum prece restituta." (Robertson, Preface, Conciliae Scotiae, p. xxi note; Gosceline of Canterbury, Act. Sanct. Maii, t. v., pp. 881-883, and Act. Sanct. Feb., I., p. 294).

Some antiquaries refer the establishment of a monastery or bishopric at Mortlach to Malcolm III., others ascribe it to Malcolm II. Malcolm III. founded a monastery at Monymusk.

p. 7. **Ballecristin.** Balcristie is in the parish of Newburn in Fifeshire. Though this grant is of the "villa" which might include the whole land, the monks of St. Serf's had no more than a can or rent. David I. gave to the Abbey of Dunfermline "Balcristie cum suis rectis divisis in pratis et pascuis excepta rectitudine quam Keledei habere debent cum omnibus rebus ad eas juste pertinentibus sicut datae fuerunt praedictae ecclesiae in dotem die qua dedicata fuit."

When the lands of the Priory of St. Serf's were transferred to the Priory of St. Andrews, the rights of the former in Balcristie were twenty meli of grain (ordei) (Reg. Prior. St. And., p. 43).

This joint ownership of St. Andrews and Dunfermline led to a dispute which was heard by King William the Lion. He decided that the monks of Dunfermline had right to the land, paying to the canons of St. Andrews the "elemosina" which the Keledei had from Balcristie in the time of King David (Reg. Dunf., p. 34).

The Priory of St. Andrews as representing St. Serf's retained an interest in Balcristie until the beginning of the fourteenth century, and probably till the dissolution of the house at the Reformation (Reg. Prior. St. And., pp. 125, 175, 177).

IX.

Printed in Scala Chronica, ed. Stevenson, Edinb., 1836, Note, p. 222, from MS. Cotton (probably Nero A. VII.), in Epistol. Lanfranci, No. 61, and in 2 Concil., p. 155.

This letter was written after A.D. 1070, the year in which Lanfranc became Archbishop of Canterbury and in which Queen Margaret was married, and before A.D. 1089, when the Archbishop died.

The queen had asked Lanfranc to send her an able churchman, probably to assist her in the reform of the Scottish church. He sent Goldwin and two "fratres."

It is difficult to reconcile these relations between the court of Scotland and the see of Canterbury with the statement of some historians that in A.D. 1072, at the Council of Windsor, Lanfranc assigned to York the primacy over Scotland. Alexander I. said that Scotland was no party to this compact, but "if a chronicler of York, writing in the fourteenth century, can be trusted it was . . . sanctioned, on the part of the Scottish state, by King Malcolm and Queen Margaret, and on the part of the Scottish church by the Bishop of St. Andrews." (Stubbs, Chron. Pontif. Eccl. Ebor., col. 1709, quoted by Jos. Robertson, Preface, Concil. Scotiae, p. xxv).

Queen Margaret, however, chose Lanfranc as her spiritual father, and sought his advice and help.

Mr. Joseph Robertson (Preface, Concil. Scotiae, p. xxii) collected the evidence as to the reforms desired and insisted on by the Queen :

(1) That Lent should commence on Ash Wednesday instead of on the Monday after it ;

(2) That the Eucharist should be celebrated on Easter day ;

(3) That Mass should be said according to the use of the western church and not (as in some parts of Scotland) after a barbarous ritual ;

(4) That Sunday should be observed as a day of rest ;

(5) That marriage within prohibited degrees should not be recognised ;

(6) And that other abuses contrary to Holy Scripture should be corrected.

It is not improbable that Goldwin and the other monks took part in the Council at which Queen Margaret endeavoured to convince the Scottish clergy of their errors. We know nothing of the time and place of the meeting of the Council. It would be interesting to be told what was the attitude of Bishop Fothad—did he oppose or approve Queen Margaret's views?

p. 7. **Lanfrancus** was born at Pavia, circa A.D. 1005. He became prior of Bec in 1045, and abbot of Caen in 1066. In 1070 he was consecrated Archbishop of Canterbury. He died in 1089.

p. 7. **Lectis litteris tuis quas . . . misisti.** These letters have not been preserved.

p. 8. **Non sum quod putas.** Haddan and Stubbs read "Non sum quod petas."

p. 8. **Carissimus frater noster dominus Goldewinus . . .** Mr. Freeman (Norm. Con., IV., p. 511) says that the name Goldewinus suggests that he was an Englishman.

X.

This is in the MSS. collection of Sir James Balfour in the Advocates' Library, Edinburgh. Printed in the Bannatyne Club Edition of the Register of Dunfermline, Appendix I., p. 417.

All are agreed that the charter is a forgery. The certificate by Sir James Balfour, "concordat cum autographo in omnibus," is an instance of that antiquary's want of accuracy, nay of truthfulness.

p. 9. **In Monte Infirmorum**, a fanciful name for Dunfermline.

Dunfermline was a royal residence in the reign of King Malcolm III. He was residing there when Edgar Atheling and his sisters arrived in the Forth in 1068, and there they stayed the whole winter (Freeman, Nor. Con., IV., p. 195).

Mr. Freeman in Note BB., Nor. Con., IV., p. 782, discussed the evidence as to the date of the marriage of Malcolm and Margaret; he held that it took place in 1070.

"Erat enim locus ille naturaliter in se munitissimus, densissima silva circumdatus, praeruptis rupibus premunitus. In cujus medio erat venusta planicies, etiam rupibus et rivulis munita, quod de ea dictum esse putaretur, non homini facilis, vix adeunda feris (Fordun, V., 15).

In the Life of Queen Margaret it is said that immediately after her marriage with Malcolm III. the Queen, in that place where the nuptials were celebrated, as a lasting memorial of her name and her piety,

founded a church, which she dedicated to the Holy Trinity, and enriched with numerous ornaments, vessels of solid gold, and an inestimable crucifix formed of gold, silver, and precious stones.

p. 9. **Concessi enim . . . abbatiae.** The monastery at Dunfermline did not become an abbey until A.D. 1128.

p. 9. **Omnes terras et villas Pardusin. . . .** Though this charter is spurious, it is certain that Malcolm III. and his queen did endow the church of Dunfermline.

Pardusin, Pitnaurcha, Pittecorthin, Petbachichin, Lauar, and Bolgyn lay in Fife not far from Dunfermline. Kirkcaldy is on the coast of the Firth of Forth, to the east of Dunfermline, and Inveresk is near Edinburgh, on the other side of the Forth.

p. 9. **Testibus.** Sir James Dalrymple, Coll., p. 228, says: "Nothing in the matter or the witnesses to this charter disagreeth with the time, for in his reign M'Duff is said to be Earl of Fife and Merleswine to have come to Scotland with Prince Eadgar and his sister Margaret: I would rather take it to be a charter by Malcolm IV., for I have seen one by Arnold, Bishop of St. Andrews, in the Lawyers Librarie, and amongst the witnesses are Duncanus comes, Merleswine and Neis filius Will. And as Arnold was Bishop in the reign of King Malcolm IV., so I have seen a charter . . . by King William in the beginning of his reign to Merleswine of the lands of Ardross; no doubt this Merleswine was descended of that Merleswine that came in with Queen Margaret."

The list of witnesses is spurious; there is no mention in any other record of "Ivo Kelledeorum abbas." I will not say, as some do, that Macduff is a myth, but it may be doubted whether the Macduff of Macbeth's time survived until the marriage of Malcolm and Margaret. Duncan did not become Earl of Fife until about A.D. 1136. "Araldus comes" is unknown.

Merleswain (Freeman calls him "Sheriff" Maerleswegn, N. Con. IV., p. 195) accompanied Edgar Atheling and his sisters to Scotland in 1068 (Anglo-Saxon Chron., pp. 171, 174), but it does not appear that he settled in Scotland.

There were Merleswains in Fifeshire in the thirteenth century, Merleswain son of Merleswain, Merleswain son of Colban, Christina daughter of Merleswain and wife of Ewin de Monorgrunt, and several others. Neis son of William and Merleswain lived in the reign of William the Lion.

I have not, in the text, included a Charter of Homage, which has been unanimously rejected as a forgery. It is as follows:

"Malcolmus Dei Gratia Rex Scotorum et Insularum adjacentium omnibus Christianis ad quos praesentes litterae pervenerint salutem, tam Danis et Anglis quam Scotis, Sciatis nos et Edwardum primogenitum filium nostrum et heredem, Comitem de Carrick et de Rotsaye recognovisse nos tenere totum regnum nostrum Scotiae et insulas adjacentes de excellentissimo domino Edwardo filio Ethelredi nuper Regis Angliae superiore domino regni Scotiae et insularum adjacentium per Homagium ligium et fidelitatem prout antecessores et progenitores nostri pro antea temporibus retroactis satis notabiliter recognoverunt et fecerunt prout per antiquiora recorda coronae satis

nobis constat. Quare ex jure directo nos devenimus homines vestros O Domine noster serenissime Edwarde fili Ethelredi Rex Angliae et superior Dominus Scotiae et insularum adjacentium, durante vita nostra contra omnes homines vobiscum vivere et mori tanquam ligii subditi vestri fidelis et ligiam fidelitatem vobis et heredibus vestris portabimus sic Deus nos adjuvet et Sanctum Dei judicium.

"In cujus rei testimonium praesentibus sigillum nostrum apponi fecimus pro nobis et filio nostro praedicto apud Eboracum quinto die Junii anno regni nostri nono in parliamento praedicti domini superioris nostri ibidem tanto ex consensu et consilio Margaretae consortis nostrae filiae Edwardi filii Edmundi ferrei lateris Edgari Atheling fratris ejusdem consortis nostrae et quam plurium magnatum aliorum regni nostri praedicti."

"The laborious Rymer, searching for materials for his great work, discovered in the Chapter House at Westminster the forged Charter of Homage by Malcolm Canmor and his son to Edward the Confessor. Somewhat rashly, 'perhaps unwittingly' (as Sir Thomas Hardy says), he gave it an importance to which it was by no means entitled, by causing it to be engraved in facsimile." "Sir Francis Palgrave has given a full and interesting account of this charter and some other forged documents of a later date, still in the Exchequer, where they were deposited, November 1457 (36 Hen. VI.), by John Hardyng, the poet and chronicler, who professed to have obtained them at the risk of his life, and to have been offered one thousand marks of gold by James I. to give them up. He was rewarded by a pension of £20 out of the Exchequer, and there can be little doubt he was the author of the whole collection. Apart from its having been the occasion of a great literary warfare, the document is a curiosity in its bold anachronisms and sweeping acknowledgment of homage." Duffus Hardy, Foedera, Vol. I., Pref. xxxix.

The charter was printed by Anderson in 1705 in his "Essay on Scotland, Imperial and Independent." He professed to have taken it "from a copper-plate copy, the original being of late somewhat defaced."

Margaret was not married to Malcolm III. until after the death of Edward the Confessor; Edward, their eldest son, could not have done homage to a king who died years before he was born; the eldest son of the King of Scotland was not styled Earl of Carrick and Rothesay until the reign of Robert the Bruce.

XI.

In the Register of the Priory of St. Andrews, fol. 52 a, Bannatyne Club Edition, p. 117. Reeves, Culdees, p. 128.

Haddan and Stubbs (2 Concil., 153) identify Bishop Modach as Fothad, the second Bishop of St. Andrews of that name, from A.D. 1059 till A.D. 1093.

This bishop performed the ceremony of the marriage of Malcolm and Margaret :

"Off Saynt Andrewys the byschape than
The secund Fothawch, a cunnand man
Devotly mad that sacrament,
That thai then tuk in gud intent."
(Wyntoun, VII. iii., line 271.)

Fothad, "Chief Bishop of Alban, is said to have professed subjection to the Archbishop of York between A.D. 1070 and 1093, . . . but the authority for the story is . . . that of a partizan" (2 Concil., p. 160).

Annals of Ulster A.D. 1093, "Fothadh, high bishop of Alban, rested in Christ."

p. 9. **Hurkenedorath.** It has been suggested (Reeves, Culdees, p. 129), that this is Auchterderran, a parish in the Deanery of Fothrif, in the S.W. of Fife, of nearly 8000 acres, now rich in minerals. So far as I know, Auchterderran did not belong to St. Serf's, and the word Hurkenedorath could not, I think, become Auchterderran. I am not able to identify it. Hurkenedorath is the same (I suppose) as the villa de Hurhynderach (Reg. Prior. St. And., p. 16). It is called Hurhyndemuch (Bull of Pope Innocent, IV., *ib.* p. 104). Hurwarderec occurs in a charter by John, Prior of St. Andrews, of the barony of Kirkness (*ib.* p. 177).

p. 10. **Prestationes et canones.** "Tria pensitationum genera recensent scriptores, canonem oblationem et indictionem, ac canon sunt quidem seu canonici tituli solemnes et antiquae praestationes, indictio quicquid praeter canonem indicitur, oblatio denique aurum et argentum quod largitionibus infertur."

Chalmers, Caledonia, I., p. 433: "This is a very curious, but obscure extract from the Register of the Priory of St. Andrews. . . . It is apparent, however, that all those prestations were customary dues of ancient times, before the age of Fothald, the word canon being formerly used for any prestation, pension, or customary payment. . . . The Chudreme is the Irish Cudthrom . . . which signified weight. . . . The 'Male' seems also to be a Celtic term for some payment. 'Mal' in the Irish signifies a rent, a tribute." . . . Compare the Scottish term "Maills and duties."

XII.

The original charter on parchment is preserved in the Treasury of the Cathedral of Durham. It has often been printed, by Sir Jas. Dalrymple in 1705 (Collect., p. 229), by Canon Smith in A.D. 1722, in his folio edition of Bede, p. 760, and by Haddan and Stubbs (Concil., 2, p. 165). A facsimile is given by Anderson, Diplomata, pl. iv.; Robertson's Index, p. 153, A.D. 1798; and in the National MSS. of Scotland, Pt. I.

Lord Hailes (Annals, I., p. 49): "I should be apt to suspect the authenticity of this charter, if so many antiquaries had not appealed to it as genuine. . . . The form of the seal and the style of the figure on it are not free from suspicion."

Chalmers impugned the genuineness of the charter on account of both its form and its substance. He said, confidently, "The Charter of Duncan is as putative as his birth and title."

Mr. Cosmo Innes (Scotland in the Middle Ages, p. 79): "The rude pinning of a seal to it has raised some suspicion with regard to its genuineness, but I think without foundation. The appending of the seal is apparently a modern and clumsy attempt to add a sort of authentication which the charter did not want."

Canon Smith described the seal: "In sigillo cernitur effigies hominis armati equo sedente circa quam inscriptio haec est. + Sigillum Dunecani regis Scotorum."

Mr. W. Robertson inspected the charter at Durham in 1793. He said (Index, p. 153): "It has a seal appended at the right hand corner, on brownish wax, with the impression of a warrior on horseback. There has been a circumscription, now crumbled off, but 'sigill . . . orum' is still legible."

Dr. Raine, N. Durham, pp. 374-75, dealt at great length with Chalmers' objections to the charter. He said: "The more attentively I have considered it, the more firmly I am convinced that it is a genuine document." Mr. Skene and Sir A. Dunbar accepted it as genuine.

Duncan was a son of Malcolm III., but whether he was a bastard or was a legitimate son of a marriage with Ingibiorg, widow of Earl Thorfin, is uncertain. He was given as a hostage by King Malcolm to William the Conqueror, was a prisoner at the time of the Conqueror's death, was released by Duke Robert, was knighted, and served at the English court.

If this charter be genuine it was probably granted when Duncan was at Durham, in A.D. 1094, on his way to Scotland to attack King Donald and to try to win the kingdom. Turgot, prior of Durham, may have urged him to grant to St. Cuthbert lands in Lothian which had of old belonged to the church. Though he describes himself as a king, Duncan was then only a claimant.

King Donald was defeated, Duncan was accepted as king, but soon the Scots gathered together and killed almost all his followers; he and only a few escaped; afterwards he agreed to dismiss his English and French comrades, but on 12 November, 1094, about six months from his first entering Scotland, he was killed, and the Scots again took Donald to be their king.

p. 10. **Tiningeham**, etc. Two estates are granted in this charter: (1) Tiningeham, Aldeham, Scuchale, and Cnolle are in the parish of Whitekirk and Tyningham.

(2) Hatherwick and Broxmouth are in the parish of Dunbar.

They belonged of old to a monastery at Tyningham.

When St. Cuthbert was a boy, his home was on the banks of the Tyne near Tyningham, and one of his early miracles was effected in aid of the monks. Between A.D. 651 and 686 the monks were replaced by nuns. In 686 St. Cuthbert visited the nunnery when Verca the abbess gave him a shroud.

St. Baldred (ob. A.D. 756) restored the monastery at Tyningham. Simeon of Durham speaks of "Tota terra quae pertinet ad monasterium Sancti Balthere quod vocatur Tinningaham a Lombormore usque ad Escemuth" (Surtees edn., p. 140).

In A.D. 941, Anlape "spoiled the church of St. Baldred and burned Tyningham."

There is no evidence as to the possession of the lands of the monastery of Tyningham between A.D. 941 and A.D. 1093.

This grant of Tyningham, etc., was inoperative; the monks of St. Cuthbert at Durham never possessed these lands.

Fodanus Episcopus, Fothad, Bishop of St. Andrews (p. 239). Haddan and Stubbs, 2 Concil., p. 165: "The lands granted were part of the endowments of the see of St. Andrews, to which they again reverted: probably when Duncan's usurpation of the Scottish throne came to an end."

Saca et soca mean "with jurisdiction over the tenants." Cf. *soc* or *soken* in Anglo-Saxon, *socken* in Norse, and *sucken* in old Scots.

Pro uxore mea et pro infantibus meis. His wife is said to have been Ethelreda, daughter of Gospatric, Earl of Northumberland; his son William was conspicuous at the court and in the army of King David I. Gylnertus, son of Duncan, is a witness to the doubtful charter by King Edgar.

The names of the witnesses seem to me to create a grave doubt as to the genuineness of the charter. The granter speaks of the concurrence of his brothers, and Malcolumb and Eadgar may have been two sons of Malcolm III.; there is, however, no other record of a Malcolm, he was not one of the six sons of King Malcolm and Queen Margaret.

The other witnesses to the charter, Accard, Ulf, Hermer, Hemming, Œlfric, Teodbold, Vinget, and Earnulf, have not been identified. It seems strange that a charter to the church was not attested by a churchman.

XIII.

This notitia is in the Register of the Priory of St. Andrews, fol. 51 b; Bannatyne Club edn., p. 115, between notices of a grant by King Malcolm and Queen Margaret (ante, p. 7) and of a grant by Ethelred (ante, p. 11). Probably it records a grant by King Donald Bane; if so, the transcriber, writing at least as late as the reign of King

David I., misread the name of King Donald's father, who was Duncan, not Conchat.

Dr. Reeves' Culdees, p. 127: "Conchat is so written for Donchat . . . the original Mac Donchat causing an assimilation of the initial D, just as Mac Donnell is often written Mac Connell, and when the translator rendered the Mac by filius, he left the assimilated Conchat unrestored."

Donald was a brother of King Malcolm Canmore, on whose death, in 1093, he was chosen king by the Scots. He was defeated by his nephew Duncan in 1094, whom he slew in the same year, and he reigned as king until he was defeated by Edgar in 1097. He was taken prisoner, blinded, and maimed.

The story told by Wyntoun that Donald in his old age murdered the eldest son of David I. is manifestly untrue.

XIV.

This notitia is in the Registr. Prior. St. And., fol. 51b; Bannatyne Club edition, p. 115; Reeves' Culdees, p. 127.

It speaks of Ethelred as "vir venerandae memoriae," whence it may be concluded that he was dead before the notice was written. Robertson (Early Kings, I., p. 151) says that Ethelred survived his parents only a very short time.

The grant was given at Abernethy, and confirmed by David and Alexander, two of Ethelred's brothers, in presence of the Earl of Fife, and of several priests of Abernethy.

There is another version in Sir Robert Sibbald's Collections (Adv. Lib., 34. 6. 24, p. 16):

"Nos Edelredus Dei gratia filius Malcolmi regis Scotie Abbas Dunkelden et insuper Comes de Fyfe, damus et concedimus pro salute anime nostre et animarum antecessorum et successorum nostrorum Deo Omnipotenti et Sancto Servano et Keledeis eremitis de Lochlevin cum summa reverentia et honore et omni libertate terras de Auldmure ita libere ut aliquis rex, episcopus vel comes in toto regno Scotie dedit, per omnes rectas metas suas et divisas: Testibus, Maddock, comite; Edmundo, fratre meo, filio regis, et Sirach, capellano. Apud Dunfermlin."

Ethelred was the third son of King Malcolm III. and Queen Margaret. He cannot have been older than fifteen or sixteen in 1093 when his father and mother died.

In his youth he received Admore from his parents, possibly as part of the Earldom of Fife. It seems to me probable that he became a monk, and that he remained in the retirement of the Abbey

of Dunkeld during the stormy years when his uncle Donald was king.

I do not agree with Skene and other writers who assume that Ethelred was a 'lay' abbot.

That opinion is founded partly on the fact that Ethelred was an earl, and partly on the fact that a former abbot of Dunkeld, Crinan (Ethelred's great-grandfather), was married, and fought and fell in battle, but these circumstances are not incompatible with holy orders in those early days.

Wyntoun, prior of St. Serf's, makes no mention of Ethelred in his Chronicle. Fordun said (5. 24): "De Ethelred nihil certum scriptis invenio ubi sit mortuus vel sepultus: praeter ut quidam asserunt in antiqua ecclesia S. Andreae de Kilrimont humatus requiescit."

p. 11. **Abbas de Dunkeld.** The tradition was that King Kenneth Macalpine built the church of Dunkeld, to which he translated the relics of St. Columba circa A.D. 849.

A.D. 865, Tuathal Mac Artguso "primus episcopus Fortrenn et abbas Duncaillen dormivit." A.D. 873, "Flaithbertach mac Murcertaigh princeps Duincaillden obiit." A.D. 965 a battle between the men of Alban among themselves, when many were slain about Duncan, abbot of Dunkeld.

A.D. 1027 Dunkeld was entirely burned. A.D. 1045 "Battle between the Albanich on both sides in which Crinan, Abbot of Dunkeld, was slain and many with him, viz. nine times twenty heroes." (Chron. P. and S., pp. 78, 361, 362, 364, 368.)

Mr. Skene, Celt. Scot., 2, p. 337: "We see it (Dunkeld) first as a Culdee church founded shortly before the accession of the Scottish kings to the Pictish throne; then as a Scottish monastery, its abbot filling the high office of Bishop of Fortrenn, the new kingdom acquired by the Scots.

"Then the bishopric passes to Abernethy, and the successor to the abbot, who was first bishop, appears as 'princeps' or superior of Dunkeld, a term which leaves it doubtful whether he was a cleric or a layman.

"Then we find Duncan, Abbot of Dunkeld, slain in battle while fighting for one of the kings in a war of succession—evidently a layman. Then we have Crinan, Abbot of Dunkeld, marrying one of the daughters of the king . . . The character of these abbots as great lay lords seems plain enough."

Insuper Comes de Fyf. "Insuper" may be a mistake for a word meaning "formerly." G. E. C. suggests that Ethelred was Earl of Forthrif, and Constantine Earl of Fife. It was an early tradition that Macduff was Thane of Fife in the reign of Macbeth, and that in the time of King Malcolm he became Earl. Mr. Skene thinks Macduff is 'fictitious,' the creation of Fordun, and Robertson (Early Kings, 1., p. 124): "Fife was 'in the Crown' in the days of Malcolm Canmore, who granted the Earldom to his son Ethelred. The Macduff,

Earl of Fife, of the fabulists—a being unknown to Wynton—must be put down as a myth." These eminent writers are mistaken. Macduff may be a myth, but he is certainly not the creation of Fordun. Wyntoun, who calls him Thane of Fife, gives a long account of him which agrees with Fordun.

p. 11. **Admore**, now Auchmoor, at the east end of Loch Leven. The first bridge over the Leven at the end of the Gullets is Auchmoor Bridge. The land remained part of the endowment of the priory of Loch Leven till the end of the thirteenth century. It passed with the other property of St. Serf's to the Priory of St. Andrews.

p. 12. **Abyrnethyn**: Abernethy in Perthshire. "The Scottish tradition concerning this church, as expressed in the oldest historical monument of the country, the Chronicon Pictorum, is, that it was founded by St. Brigid in virtue of a grant made to her by Nechtan, a Pictish king, who, while an exile in Ireland, had visited her at Kildare and sought her intercession for his restoration to the throne. John of Fordun found a similar statement in the private records of the place, so that, whatever difficulty there may be in reconciling King Nechtan's date with that of St. Brigid, it is clear that the ancient Scotch admitted the Irish origin of this church." Reeves, Culdees, p. 53.

(Chron. P. and S., pp. 6, 28, 399; Skene, Celt. Scot., 2, p. 32; Reeves, Adamnan, p. 230.)

King Garnald, A.D. 584-596, built a church at Abernethy to St. Brigid of Kildare (Chron. P. and S., p. 201).

There is a tradition (Scotichron., 4, 12) that Abernethy was the see of the chief Bishop of Scotland. "Et in illa ecclesia fuerunt tres electiones factae, quando non fuit nisi unus solus episcopus in Scotia. Nunc fuit locus ille sedes principalis regalis et pontificalis per aliquot tempora totius regni Pictorum." Mr. Skene (Celt. Scot., 2, 311) said: "We are driven to place it . . . between the death of Tuathal, first bishop of the Picts, in the year 865, and the first appearance of . . . a Bishop of St. Andrews . . . in the year 908."

But whether Abernethy was the see of a bishop, or whether bishops of Dunkeld or Fortrenn or *in partibus* were consecrated there, matters little. For, centuries before this grant by Ethelred, there had been a church and monastery at Abernethy.

In 1072 King Malcolm Canmore did homage to William the Conqueror at Abernethy.

In Ethelred's time the monastery had not yet been secularized; less than a century afterwards part of the endowments had passed into the lands of Laurence, the son of Orm, who in one charter is called the abbot. In 1272 Abernethy was made a priory—canons regular from Inchaffray displacing the Culdees.

p. 11. **Constantinus, Comes de Fife,** was probably the son, or grandson, of Macduff of Fife, who lived in the reigns of Duncan I., Macbeth, and Malcolm III.

Constantine Macdufe is one of the witnesses to the doubtful charter by Edgar to Durham (No. XV., ante, p. 12).

Constantine Comes is a witness (circa A.D. 1128) to the great charter by David I. to Dunfermline Abbey (No. LXXIV., ante, p. 61), with Gillemichel Mac duf, whom I take to be his son and successor in the Earldom.

Here he is described as "vir discretissimus," and in the record of the suit between the brethren of St. Serf and Sir Robert Burgonensis (circa A.D. 1128, No. LXXX., ante, p. 66) he was one of the judges; he was styled "magnus judex in Scotia" and "vir discretus et facundus." He appeared at the trial "cum satrapys et satellitibus ex exercitu de Fyf." He is mentioned in Charter XCIV., ante, p. 76, as having withheld by force the shire of Kirkcaldy from the Abbey of Dunfermline.

p. 11. **Nesse et Cormac**, etc. These were members of the religious house of Abernethy.

p. 12. **Rector scolarum de Abyrnethyn.** The rector of the schools was probably the same as the Irish "Ferleighinn lector," a man of learning (Skene, Celt. Scot., 2, p. 445; Dr. Robertson's Scholastic Offices in the Scottish Church, Miscell. Spalding Club, v., p. 68).

XV.

This was printed by Dr. Raine (Appendix, N. Durham, p. 2, No. VII.) from a copy in a handwriting of the fifteenth century preserved in the Treasury of Durham Cathedral. There is an earlier version in the Registrum Primum of Durham, described in the index as "Carta originalis Regis Scotiae de XXX villis datis Episcopo Dunelm. et Priori," which purports to have been granted in the reign of William the Conqueror; it was printed in the Dugdale, Monast., p. 238.

This charter was first published in the Monasticon Anglicanum, I., p. 45, in A.D. 1655. In 1704 Atwood relied on it as decisive proof of the feudal superiority of the King of England over the Kingdom of Scotland. Anderson in his Diplomata asserted that it was a forgery; Dr. Raine maintained it was genuine (N. Durham, p. 377).

Later writers have held it to be spurious. Skene, Celt. Scot., I., p. 444: "The expressions it contains, and especially the names of the witnesses, seem to me to mark it as unmistakeably spurious." Haddan and Stubbs (2 Concil., p. 116) are unable to distinguish between this charter and No. VII., which is undoubtedly a forgery.

This charter purports to have been granted to William, the Bishop of Durham (who died January, 1096), and to have been confirmed "eo anno quo Rex Willelmus, filius magni Regis Willelmi, fecit novum castellum apud Bebbanburgh super Robertum comitem Northanhymbrorum"; that was in A.D. 1095.

Edgar did not become King of the Scots until October, A.D. 1097.

Dr. Raine (N. Durham, p. 378), in defending the genuineness of the charter, said: "I admit that Edgar did not in fact accede to the throne of Scotland until the year 1097, whereas the Bishop (William)

is known to have died in 1096; but then be it remembered that Edgar became King of Scotland *de jure* the moment his father . . . died in 1093; that as King *de jure* he was for two years at least contemporary with the Bishop, and that, during that period he resided in England, may be presumed from the fact that he was in 1097 placed on his throne by an English army."

But Edgar was not *de jure* king from the moment of his father's death. If Duncan was legitimate, he was *de jure* king until his death on 12 November, 1094. There were then two surviving sons of King Malcolm III. older than Edgar. Ethelred may have been disqualified, being a priest holding the abbacy of Dunkeld, but Edmund was a layman, and there are some who say that in 1095 he was reigning in Scotland as joint king with his uncle King Donald.

Mr. Freeman acknowledged the difficulty; he avoided it by suggesting that this charter was not given to William, the bishop who died in January 1096, but to Bishop Ranulf about A.D. 1100. The words of the charter, however, are unambiguous; they imply that it was granted in August, 1095, when William was still bishop, and when Edgar was not yet king.

By it many lands were granted to the bishop of Durham.

(1) Berwick. Whatever was the size of Berwick at the end of the eleventh century it soon afterwards became a burgh of considerable importance. It is unlikely that in 1095 it would be called a 'mansio.'

Fordun (5. 26) said that the grant of Berwick was made after Edgar became king, in gratitude for the assistance accorded to him by St. Cuthbert in 1097, and that afterwards the grant was revoked. "Addidit etiam vir magnificus sed et rex munificus, munus muneri, hoc est, villam nobilem de Berwyk cum appendiciis, episcopo et suis successoribus Dunelmensibus dedit et confirmavit possidendam. Quantum et quale donum regis episcopatus totus gratanter accipiens in pace bona possedit, donec Ranulfus episcopus illud non immerito hoc modo demeruit. Edgaro rege ad regem Angliae Willelmum secundum tendente, Robertus ille, filius Godwini de quo superius fit mentio de licentia regis ad terram, a rege sibi datam, in Laudonia moratus est, et dum castellum ibidem aedificare niteretur a provincialibus subito et baronibus tandem Dunelmensibus circumventus, eodem Ranulfo episcopo agente, captus est: in qua tamen captione magnam suae virtutis memoriam apud totius regionis incolas dereliquit. Quod Rex Edgarus rediens ut audivit illum, ex praecepto regis Angliae liberatum, secum in Scociam reduxit cum honore et quicquid ante episcopo donaverat, omnino sano consilio sibimet reservabat."

Edgar's reign began in Oct., 1097. Ranulf Flambard was conse-

crated Bishop of Durham on 5 June, 1099. William Rufus died on 2 August, 1100.

(2) Lands in Berwickshire: Greiden (now Milne Graden), Leinhale (now Lennel), Dilsterhalle (not identified), Brigham (or Birgham), Edrom, Chirnside, Hilton, Blackadder, Chynbrygham, Hutton, Hadrington (Edrington), Horford, Upsetinton (Upsettington), Coldingham and the mansions, Regnington, Paxton, Fulden, Morthyngton, Lamberton, the other Lamberton, Fiskwick. Some of these lands were granted by King Edgar after A.D. 1097, others never belonged to the priory of Durham.

The list of the attesting witnesses in this copy is corrupt, and varies from the version in the Registrum, in which the witnesses are Edgar Rex, Alexander frater ejus, Ligulfus filius Inemanni, Gylnertus filius Dunecani, Oularis filius Oghe, Unteedus Fuderne, and Edgar Atheling.

The witnesses, Uhtredus, filii Macdufe Constantini, Rodbertus de Humet, Aetele, Agulfus, Alimodus son of David, do not appear in the Registrum.

Robert de Humet. The de Humets were a Norman family—members of which held the office of constable of Normandy in the last half of the twelfth century.

(Round's Select Charters, pp. 56, 59, 91, and Farrer's Lancastr. Pipe Rolls, pp. 371, 395, 398.)

p. 13. **Haec carta firmata est.** The second part of the document is a confirmation by Edgar in the cemetery, at Norham, on the 4th day before the Kalends of September, in the year in which King William, the son of the great King William, made the new castle at Bebbanburgh against ('super') Robert, Earl of the Northumbrians.

Dr. Raine says this was the 29 August, 1095.

Robert de Mowbray, Earl of Northumberland, refused in 1095 to obey King William II., who, with an armed force, took Newcastle from him. De Mowbray still held Bamborough. The king besieged it in the autumn of 1095; at Michaelmas the king left Northumberland for the south.

This confirmation represents Edgar, King of the Scots, as holding a sort of court at Norham, attended by the Bishop and the Prior of Durham.

Ansketillus praepositus de Norham. In 1095 there was no praepositus of Norham, because the castle of Norham was not erected until A.D. 1121; the small town was afterwards built round the castle. Ansketil was Constable of Norham Castle after 1121.

Ilgerus de Corneford. So far as I know, there is no Corneford; there is a place called Cornhill or Cornhall.

Walter De Valoniis. The family was of rank and influence in the north sixty years later.

Galfred de Aldreius. Perhaps the writer of the charter meant to designate a member of the family of Audrey, which, however, did not settle in the north until thirty or forty years after 1095.

John de Amundeville. The Amundevilles were a Lincolnshire and Yorkshire family (Round's Select Charters, p. 39; Farrer, Select Pipe Rolls of Lancashire, p. 345).

Dr. Raine, in supporting this charter, relied on a MS. in handwriting of the earlier half of the twelfth century, in the Library of Trinity Coll., Cambridge, "de donis a diversibus regibus datis Sancto Cuthberto"; but it does not accurately describe this charter, for it speaks of two gifts—one of Berwick and its appurtenants to the bishop of Durham, the other of Coldingham and its appurtenants to the monks of St. Cuthbert; this charter gave all to the bishop.

XVI.

This, and another to the same effect, are preserved in the Treasury of Durham. The other was printed in facsimile in the National MSS. of Scotland, No. VII.

Each of these charters has a seal appended to it. One is figured in the National MSS. of Scotland; it is given with greater beauty in Wyon's Great Seals.

In the Relatio de Sancto Cuthberto in MS. Gale, O. iii. 55, 2 Archeol. Æliana, p. 6, and Simeon of Durham, Surtees Soc. ed., Vol. 51, p. 236, the gift of King Edgar to Bishop William is recorded, "Isto eodem rege Willelmo laudante et concedente Ædgarus rex Scotiae donavit et reddidit Sancto Cuthberto et Willelmo episcopo in Lodoneio Berewic cum omnibus suis appenditiis; et monachis in ecclesia Dunelmi Deo et Sancto Cuthberto servientibus Coldingham cum suis omnibus appenditiis, sicut in carta continetur; quam ipse et fratres sui propria manu signaverunt et firmaverunt."

There are only three other examples of King William II.'s Great Seal—two at Eton, and another (broken) in the Record Office; the Durham seal alone has been published; it is similar to the Great Seal of the Conqueror.

It is difficult to reject the confirmations, and with them the charter No. XV.; there is evidence that Edgar, before he became

king, made a grant to Durham, of land in Scotland ; it is improbable that the monks of Durham forged a charter for lands, some of which they never possessed. It is difficult to believe that they forged two confirmations by the king of England, to which were appended impressions of the Great Seal.

Still it is hard to accept as genuine a charter and its confirmations which purport to have been granted by King Edgar to Bishop William, who died more than a year before the king began to reign.

XVII.

The original, with a seal, is in the Treasury at Durham. It was printed by Dr. Raine (N. Durham, Appendix, No. VIII.).

Dr. Raine (p. 380) said : "This charter is a most palpable forgery, fabricated apparently for the express purpose of establishing the superiority of England.

". . . Never, perhaps, was there so miserable an attempt at imitation. The parchment, unlike that of the eleventh century, is thin and imperfectly prepared, the ink is bad and in some places fading away, and the phraseology and every other characteristic of the document belong to a period later by centuries than the reign of Edgar. But the seal gives the finishing stroke to the whole. It is in fact a bad imitation, upon a very reduced scale, of the Great Seal of Robert I. or Robert II. The name indicating the name of the king being broken away, . . . the charter is probably one of the alleged forgeries of Harding, the poetical chronicler, who lived in the reign of Henry VI., and received an annuity from the Crown for his services."

As Dr. Raine condemns the charter, I need say no more to show that it is spurious. This throws suspicion on the previous charter, XV. If the monks could forge the one, they could forge the other, which is much to the same effect.

XVIII.

The original charter was formerly in the Treasury of the Cathedral of Durham ; it is now lost. There is a facsimile of it in Anderson's Diplomata. It was seen by Mr. Wm. Robertson on 3 October, 1793 (Index, p. 152). Raine, N. Durham, Appendix, p. 3, No. IX.

It was confirmed by King Robert III. of Scotland, 26 January, 1393 (Robert., Index, p. 154).

It has been accepted as genuine. The date is probably soon after King Edgar's accession in 1097.

It is a grant to the monks of St. Cuthbert of the lands of Coldingham, and a confirmation of all their lands in Lothian.

It is to be noticed that the king grants lands only; there is no mention of a church at Coldingham, nor of tithes.

It has been erroneously said that King Edgar, by this and subsequent charters, founded the 'Priory' of Coldingham. The monks of Durham held the lands, and afterwards built a church; but there was no Priory at Coldingham before 1147.

p. 16. **Edgarus.** Edgar was the fourth son of King Malcolm and Queen Margaret. He was born about A.D. 1074. He accompanied the army in the invasion of Northumberland in 1093 and brought the news of his father's death to his mother, who was then on her deathbed in Edinburgh Castle.

Probably he remained in England from 1093 till 1097. In the autumn of 1097 the English king allowed an English force to follow Edgar Atheling to Scotland, when King Donald was defeated and Edgar was accepted as king.

The legend is that, at Durham, St. Cuthbert appeared to Edgar in a vision, and ordering him to take his banner, promised him victory.

Fordun (5, 25): "Cui erga natale solum properanti et hostium seditionem timenti astitit in visu noctis silentio beatus Cuthbertus, dicens: 'Fili, noli timere, quia placuit Deo dare tibi regnum: et hoc tibi signum, cum vexillum meum tecum de monasterio Dunelmi tuleris, et contra adversarios illud erexeris, tibi exurgam in auxilium, et dissipabuntur inimici tui, et qui oderunt te fugient a facie tua.'

"Expergefactus itaque adolescens, avunculo suo Edgaro rem retulit et ille, Deo se et omnes suos de patrocinio Sancti Cuthberti committens, quod Sanctus hortando jusserat, animosius adimplevit.

"Postea facto congressu, et Sancti Cuthberti vexillo levato, quidam miles Anglicus genere, Robertus nomine, filius antedicti Godwini, paternae probitatis imitator et haeres, duobus tantum militibus comitatus, in hostes irruit, et fortissimis, qui ante aciem quasi defensores stabant, peremptis, antequam insimul appropinquarent exercitus, Donaldus cum suis in fugam conversus est, et sic incruentam victoriam, Deo propitio, meritis Sancti Cuthberti feliciter optinuit."

St. Cuthbert's banner was preserved in the Cathedral of Durham. It could not be removed from the shrine without the express consent of the Prior (Raine, N. Durham, p. 264).

More than four hundred years later, the banner of St. Cuthbert was carried before the English army at the Battle of Flodden.

Bishop Ruthal, writing to Cardinal Wolsey, 20 September, 1513 (Nat. MSS. of England, Vol. II.), a few days after Flodden: "There were that day many good and toward captains who did their parts well: howbeit the Lord Howard was the first setter on and took most pain in conducting the vaward of the English army, to whom joined

St. Cuthbert's banner with the whole retinue of the Bishoprick: and albeit the Scots had most disrespect to the said banner and set most fiercely upon it, yet what by the grace of God, the assistance of St. Cuthbert to his banner . . . there they got no advantage. . . ."

p. 16. **Omnibus per regnum suum Scottis et Anglis.** In the recital of this charter in a confirmation by King Robert III. (1390-1406), "probis" is inserted: "Omnibus probis per," etc.

p. 16. **Sancto Cuthberto.** St. Cuthbert was greatly revered in the north of England and the south-east of Scotland. He was born about A.D. 635. In his youth he was a shepherd near Childeskirk (Channelkirk) in Lauderdale. He was admitted into the monastery of Old Melros, and was initiated by Eata. When Eata was removed to Lindisfarne, Cuthbert accompanied him and he became Prior of Lindisfarne. He spent his life preaching and converting the people of Northumbria and the Lothians. He was made a bishop A.D. 685, but after three years he returned to the monastery where he died.

p. 16. **Monachis ejus.** These were Benedictine monks brought to Durham by Bishop William de Carileph from the monasteries of Wearmouth and Jarrow.

p. 16. **Coldingham** is a large parish in Berwickshire.

About A.D. 635 Oswyn took refuge in Iona where he was converted to Christianity; afterwards he became King of Northumbria. His sister Ebba founded a nunnery near Coldingham, on the coast of Berwickshire, then part of Northumbria, at the place now called St. Abb's Head (Dugd. Mon., 6, p. 1149).

For nearly two hundred years, the nunnery of St. Abb's flourished and had a great reputation for asceticism and holiness. It was here that Ethelrida, Queen of Egfrid, took the veil A.D. 673; she afterwards founded the church and nunnery of Ely.

Bede said of her (IV., cap. XVII. (XIX.), Plummer, 1, p. 243), "Intravit monasterium Aebbae Abbatissae, quae erat amita regis Ecgfridi, positum in loco, quem Coludi urbem nominant, accepto velamine sanctimonialis habitus a praefato antistite Uilfrido. Post annum vero ipsa facta est abbatissa in regione, quae vocatur Elge," and (IV., cap. XXIII. (XXIV.), Plummer, 1, p. 262): "His temporibus monasterium virginum quod Coludi urbem cognominant cujus et supra meminimus, per culpam incuriae flammis absumtum est. Quod tamen a malitia inhabitantium in eo, et praecipue illorum qui majores esse videbantur contigisse omnes, qui novere facillime potuerunt advertere. Sed non defuit puniendis admonitio divinae pietatis, qua correcti per jejunia, fletus, et preces iram a se, instar Ninevitarum justi judicis averterent."

St. Abb's nunnery was destroyed by the Danes circa A.D. 870. From that time until the time of King Edgar, it was probably in ruins.

There are still vestiges of buildings which may have been erected in the old time.

M'Gibbon and Ross, Ecclesiastical Architecture of Scotland, vol. 3, p. 437: "There are scanty but distinct traces of two churches on St. Abb's Head, about three miles north of Coldingham. They are

situated about half-a-mile apart, one to the west of the promontory and the other to the south-east, and both stand on high cliffs overlooking the sea.

"The one to the south-east, called St. Abb's Chapel, is situated in the centre of a churchyard. . . . At the time Carr wrote his History of Coldingham Priory (publ. 1836) the walls of the church were standing to a height of some three or four feet, now only the grass foundations remain. These indicate a chancelled building, the outside dimensions of which are: length of chancel from east to west, about 21 feet; width, about 24 feet; length of nave, 56 by 30 in width. . . .

"The other chapel at St. Abb's Head is in very much the same state. More of the masonry is visible. It measures, on the inside, about 69 feet long by 22 feet wide, with walls about 4 feet thick. In the centre of the west wall there is a recess about 6 feet long by 2½ feet wide. At the north-east corner there is a notch about 9 feet square cut out of the chapel as it were, forming to all appearance a chancel narrower than the nave on one side instead of in the centre. The remains are very scanty."

p. 16. **Omnes illas terras . . . in Lodoneo.** This general confirmation may refer to the traditional claims of his monks to the territory of St. Cuthbert, north of the Tweed, and to the lands which King Duncan had promised to Durham.

Et volo et praecipio. The king professed to give the monks immediate possession. Doubtless the land was held by Crown tenants who in future would pay dues or rents in kind to the monks instead of to the king.

XIX.

The original is in the Treasury at Durham. The seal is missing. Robertson, in October, 1793, saw a tag to which some remains of wax still adhered. Printed in Smith's Bede, p. 760; Anderson's Diplomata, with a facsimile, Plate VI.; Raine's N. Durham, Appendix, p. 1, No. II.; National MSS. of Scotland Facsimile, No. VI.

It was granted after No. XVIII. (of which there is a copy only), which it virtually confirms, with the addition of the homesteads in Coldingham.

The doubtful charter, XV., said to have been granted before Edgar became king, conveyed a much larger estate than these charters, XVIII. and XIX., which grant only Coldingham and its farms; Aldcambus, Lumsden, Renton, Reston, Swinewood, Farndun, the two Aytons, Prendergest, Cramsmouth.

These were probably the 'Coldinghamshire' of No. XX.; they formed an estate which comprised the modern parishes of Coldingham, Eyemouth, Ayton, Mordington, and part of Cockburnspath.

All that the king transferred to the Priory of Durham was the right to receive rents and services from the owners or permanent tenants. We see from No. XX. that these rents and services were commuted for the annual payment of half-a-mark of silver for each plough.

The grant was made 'in elemosinam,' absolutely free from secular burdens and from feudal casualties.

p. 17. **Mansio** is a word seldom found in Scottish charters. It means a farm; it survives in 'mains,' the home-farm of an estate, and in manse, the house of the minister of a parish.

"La manse comprend une étendue de terres plus ou moins grande, avec les bâtiments d'exploitation et la maison d'habitation, ce que nous appellerions aujourd'hui une ferme." (Preface to the Chartulaire de S. Victor de Marseille, p. 59.)

"Throughout the Exeter Doomsday the word 'mansio' is used instead of the *manerium* of the Exchequer Record, and even in the Exchequer Record we may find these two terms used interchangeably." (Maitland, Doomsday Book and Beyond, p. 109.)

p. 17. **Goldingham**: in Coldingham 'G' and 'C' are frequently interchanged, *e.g.* Gospatric and Cospatric.

On the estate granted to Durham the monks built a church in the little town (supposed to be the Urbs Coludi of Bede), which lies in a valley about a mile distant from the sea and more than two miles from the precipice on which the old nunnery of St. Abba stood.

Few lived at the place where the monks settled, and to help to bring a population, King Malcolm IV. (1153-1164) permitted them to remove 'their men,' I fancy the 'nativi' or 'adscriptitii glebae,' from other parts of Coldinghamshire "ad hebergandam villam de Coldingham." (Raine, N. Durham, App., No. XXVIII.)

p. 17. **Aldcambus** lies north of Coldingham, in the parish of Cockburnspath. The ruins of the old church of St. Helen's stand on a high cliff above the sea. As early as the twelfth century Edward de Alcambus was a man of consequence; he exchanged Aldcambus with the monks for Lumsden (Raine, N. Durham, App., No. CLXXVII.). In the same century Arnold and David and Thomas of Quickswood held a great part of Aldcambus (Raine, N. Durham, App., No. CLXXX. *et seq.*), where they endowed a Hospital for Lepers (*ib.* LIX. and CLXXXVI.).

p. 17. **Lummesdene** is an estate which lies between Coldingham and Aldcambus. The family of Lumsden of that Ilk held lands here; the priory in 1298 A.D. had six ploughgates, equal to about 624 acres of arable land, in demesne. In Wester Lumsden, on the rocky coast, stands Fast Castle. It was an old stronghold, which is heard of from time to time as being taken and retaken in the fourteenth and fifteenth centuries. It was rebuilt about 1521, and it is interesting as the gloomy prison in which the Gowrie conspirators intended to confine James VI.

p. 17. **Regnintun and Ristun** are now Renton and Reston, estates in the Parish of Coldingham. A little story in one of the many

charters relating to Reston, preserved at Durham, is interesting. Roger de Riston hired John, 'porcarius,' as his substitute in a wager of battle. The swineherd fought and won. He got a toft and a croft and three acres of Great Riston as his fee, which he then granted to the Priory. (Raine, N. Durham, App., No. CCCXCVII. *et seq.*)

p. 17. **Swinewde.** Swinewood was a forest of the Priory. There are many charters relating to it at Durham. (Raine, N. Durham, App., CXVIII.-CXLV.)

p. 17. **Farndun.** I doubt whether this be Foulden (a parish adjoining Ayton), because Foulden in after years was not the property of the monks of St. Cuthbert; it was not included in the confirmation by King David (ante, p. 54), and it does not appear in the accounts of the Revenue, etc., of the Priory, published by the Surtees Society. Anderson (Diplomata) suggested that Farndun was Fairneyside, a land in the parish of Coldingham.

p. 17. **Eitun et alia Eitun.** Ayton is a parish on the coast of Berwickshire, south of Coldingham. It is probable that the other Eitun was the land to the south now called Mordington and Lamberton. The Courts of the Priory were held at Ayton; the castle was destroyed by the English in 1448.

p. 17. **Prenegest** is Prendergest, an estate in Ayton. Some of the Prendergests of that Ilk were conspicuous; many of their charters are preserved at Durham.

p. 17. **Cramesmudhe** is a part of Burnmouth, a village on the coast, to the south of Coldingham.

p. 17. **Teloneis.** 'Teloneum' means both the right to demand a toll and also the privilege of exemption from it. In an old writing printed by Dr. Raine (N. Durham, App., p. 106) toll is defined: "Tol hoc est quod vos et homini vestri de toto homagio vestro sint quieti in omnibus mercatis de Tolneto pro omnibus rebus emptis et venditis."

Mr. Cosmo Innes (Legal Antiquities, p. 56) says: "In the common case. . . . I prefer the interpretation which makes thol—the definite technical privilege—the right of exacting the duty, rather than the right of refusing to pay it."

There is some evidence that the monks of Coldingham exacted a custom on merchandise landed at the harbour of Eyemouth (Priory of Coldingham, Surtees Society, pp. xxxix and xcv). The Priors of Coldingham afterwards obtained special grants of freedom from toll. (Raine, N. Durham, App., Nos. XXXI., XXXII., XLVII., XLVIII., and LXIII.)

p. 17. **Fracturae navium.** A wreck, provided it was totally abandoned and had no living thing on board, was *inter regalia*, but it was sometimes granted to subjects. It was a valuable right to those owning land on the rocky and inhospitable coast of Berwickshire.

There is an interesting fragment of old law on the subject of wreck printed by Sir John Skene as a law of Alexander II., "De Wrecko maris," but as it seemed to be from an English writer, it was not included in the Record edition of the Scots Acts.

XX.

The original is preserved in the Treasury at Durham. It was printed by Anderson, Diplomata (Facsimile, Plate VI.); by Canon Smith, Bede, p. 760; Raine, N. Durham, Appendix, No. IV.; National MSS. of Scotland Facsimile, No. IV. The seal is now missing. Anderson described it as having the superscription: "Imago Edgari Scottorum Basilei."

When the monks got Coldingham from King Edgar, the old buildings of St. Abb's nunnery were in ruins, and they had to build a church on their new property. The King attended the dedication, and then gave them the lands of Swinton which lay a few miles from Coldingham to the west. He laid on the altar a symbol of his gift. This charter was written afterwards.

p. 17. **Super altare obtuli.** The ceremony of laying on the altar a symbol of a grant was common. Du Cange gives illustrations of this under "In altari offerre," and Marculfus, Formula I., "De Donationibus quae fiebant ecclesiae earum instrumentis super altaria positis, quo solenniores essent ac ipsi Deo factas constaret."

A knife was a common symbol; the donor opened and shut the blade and laid it on the altar. In the Treasury at Durham there are two charters with knives appended. (Raine, N. Durham, p. 77.) Another symbol was a sod of earth. (Chron. Picts and Scots, p. 187.) "La motte de terre, la glèbe, était transportée devant le préteur romain au moyen-âge; on la déposait sur l'autel dans l'église et dans les monastères en présence de nombreux témoins." (Preface to the Chartulary of the Abbey of Rédon.)

When King Alexander I. restored lands to the Church of St. Andrews, he led his Arab horse and armour up to the altar as a symbol of the grant.

p. 17. **Swintun**, a parish in Berwickshire. The vill was granted, but it is clear from later charters that the right of the monks was disputed, and that they did not get possession of the whole.

p. 17. **Liulf.** In Charter CI. (ante, p. 80) King David described Swinton as formerly held by Udard, the son of Liulf, the son of Edulf. Mr. Round (5 Genealogist, p. 27) was of opinion that Liulf of Swinton was Liulf of Bebbanburch, one of the witnesses to this charter, an opinion in which I am not able to agree. It seems to me that it is here implied that Liulf had held the land so long ago that it had become waste and needed twenty-four oxen to restore it to cultivation, and if Liulf, who formerly held Swinton, was "de Bebbanburch," he surely would have been so designated in the body of the charter.

p. 17. **xxiiii animalia**: three yoke of 8 oxen each for ploughing.

p. 17. **Eandem pacem.** This is the earliest notice of the King's peace in Scotland. The privileges of those who had or who claimed the King's peace, and the penalties on those who violated it, were the subject of many subsequent laws.

p. 17. **Eilande**: Islandshire, included Holy Island and **Norham**, both in North Durham.

p. 17. **carruca**: a plough. The owners of each plough engaged to pay half a mark of silver annually. Each presumably held a carrucate, equivalent to an English hide.

Dr. Maitland has shown that in theory, if not always in fact, a carrucate consisted of 120 acres. In Scotland an acre was measured by a longer rod and was larger than an acre in England. So that 104 acres Scots were equal to 120 acres English. An oxgang was 13 acres, and 8 oxgangs was a ploughgate of 104 acres.

p. 17. **Testibus, Aelfwinus.** In Anderson's Diplomata, Aelfwinus and Oter are joined as the name of one man. In the original, Oter seems a distinct name. Neither Aelfwinus nor Oter has been identified by me. **Thor longus**: a well known man. (See Charters XXIV., ante, p. 19; XXXIII., p. 25, and XXXIV., p. 26.) **Aelfricus pincerna**: the king's butler. He is a witness to the Foundation Charter of Scon, No. XXXVI., ante, p. 30. 'Aelfric' witnessed King Duncan's Charter, No. XII., p. 10. **Algarus presbiter**: this may be "Algar the priest," who held the churches of St. Oswald and Aldan of Bamborough (Farrer, Lancashire Pipe Rolls, p. 384). Algar was Prior of Durham in the reign of David I. **Osbern presbiter**, probably the same as Osbern the Chaplain, in Charter XXXII., ante, p. 25.

p. 18. **Cnut Carl s.** Anderson (Diplomata) suggested that this is 'Cnut Carleolensis,' but I think it is 'Carl's son.' If so, can this be the Cnut referred to by Freeman, Norman Conquest, Vol. IV., p. 525?

About 1073 "with all his piety and patriotism the spirit of Northumbrian deadly feud was deeply rooted in the heart of the new Earl [Waltheof]. Long before his own birth, in the days of Harthacnut, his mother's father Earl Ealdred had been treacherously murdered by his sworn brother Carl. . . . The old tragedy was now to be acted over again. . . . The sons of Carl . . . were feasting in the house of their elder brother at Seterington in Yorkshire; a party of young men sent across the border by the Earl of the Northumbrians came upon them . . . when they were thus unarmed and unsuspecting. The whole family, all the sons and grandsons of Carl, were cut off, save one son Sumerled who chanced not to be present and another Cnut whose character had won him such general love that the murderers themselves could not bring themselves to slay him" ("Praeter Cnutonem cui pro instita illi bonitate vitam permiserunt"). "The slayers returned to their master with the spoils of their victims, and the ancient crime of Carl was thus avenged by a still deeper crime on the part of Waltheof."

p. 18. **Ogga et Lesing.** "Leysing et Oggo Cumbrenses judices" are two of the jurors who gave evidence regarding the lands of the Church of Glasgow. (No. L., ante, p. 46.) "Ogga and Leising" are witnesses to the Great Charter of Holyrood. (No. CLIII., p. 119.)

p. 18. **Swein Ulfkill's** son, I have not identified.

p. 18. **Ligulf de Bebbanburch.** Mr. Round is of opinion that he was the same as the Liulf of Swinton mentioned in this charter, and that he was the son of Eadwulf, who lived at the time of the Conquest, and

the father of Udard, the Sheriff of Northumberland to whose son William, King Henry I. granted a confirmation of all the lands his father had held. In my opinion there is not sufficent evidence either to connect Liulf of Swinton with him of Bebbanburch or to prove that Bebbanburch was the son of Eadwulf.

p. 18. **Uhtred Eilaue's sune,** I have not identified.

p. 18. **Uniaet thwite** is 'Uniet Albus' of other charters. He held land near Edinburgh and gave a part of Craggenemarf to Holyrood Abbey (No. CLIII., p. 118). He attested several of King David's charters (ante, pp. 57, 58, 63, 65, and 82). He may be the Vinget of King Duncan's charter (XII., p. 10).

XXI.

The original charter is in the Treasury at Durham. It has been printed: Robertson, Index, p. 153; Smith's Bede, p. 761; Raine, N. Durham, App., p. 2, No. v.; National MSS. of Scotland.

There is a seal attached by a tag at the left hand corner, having the figure of a king seated on his throne. A few letters only of the superscription are legible, ". . . E . . . n ha."

The King here adds to his former gifts to the monks of St. Cuthbert, **Paxton,** a pleasant land on the Tweed some miles from Coldingham in what is now Hutton parish in Berwickshire. The Paxtons 'de eodem' attained respectable rank. There are many charters at Durham printed by Dr. Raine which throw light on the early history of the land. Part of the service due by the church tenants in Paxton was to labour on the Prior's demesne of Fishwick.

XXII.

The original is in the Treasury at Durham. It was printed by Smith, Bede, p. 761; Raine, N. Durham, App., p. 2, No. VI.; Nat. MSS. of Scotland, No. III.

Robertson copied this charter in October, 1793. He describes the seal as "on brownish wax at a tag on the left hand corner, representing a King sitting on his throne with a sceptre in his right hand and a sword in his left. The circumscription is much decayed. These letters are still legible . . . Edgar . . . ottorum basilei" (Index, p. 153).

This is a grant 'in elemosinam' to the monks of St. Cuthbert, of Fishwick, with the lands adjacent, and especially that land which lies between Horndean and Cnapdene. The grant was confirmed by King Alexander I. (XXXI., ante, p. 24), and by King David I. (LXV., ante, p. 54).

p. 18. **Fishwick** is in Berwickshire, on the banks of the Tweed, 5½ miles from the town of Berwick, in the parish of Hutton.

In 1298 the Priory of Coldingham had in demesne about 192 acres of arable land, 50 acres of pasture and fishings in the river. Swain, the priest of Fishwick (mentioned in charters CVI., CXI.), restored to the Priory its rights in Fishwick, which he seems, for a time, to have usurped (CCXXXVI., ante, pp. 189-190). The greater part was afterwards held by "husbandi, cottarii et firmarii" on the tenure of cultivating the Prior's lands, making and driving peats, threshing corn, etc. I do not find any vassal holding by feudal tenure.

p. 18. **Horuerdene.** Probably Horndean in the parish of Ladykirk, which adjoins Fishwick. After the death of King Edgar when Earl David held land in Berwickshire, the respective rights of his Thegns and Drengs and of the monks were in dispute (XXXII., ante, p. 25). Horndean was afterwards acquired by the Abbey of Kelso.

XXIII.

From the Register of the Priory of St. Andrews, fol. 51 b, Bannatyne Club Edition, p. 115 ; Reeves, Culdees, p. 127.

It is a Notitia that Edgar King of Scotland, son of Malcolm, granted in alms to God Almighty and to the Keledei (of St. Serf's), Petnemokane with all rights stated in the Register of St. Serf's Priory.

p. 19. **Petnemokane** adjoined Kirkness. See V., ante, p. 5, and note, p. 231.

XXIV.

The original is in the Treasury at Durham. It was printed by Canon Smith, Bede, p. 763 ; Anderson's Diplomata, LXIX. ; Raine, N. Durham, App., p. 38, No. CLXI.

Thor Longus seems to have been a wealthy man, capable of bringing waste land into cultivation, a devout man who built a church and gave it and a ploughgate of land to the monks of St. Cuthbert, and a devoted servant of King Edgar, for whose soul and for the souls of the King's father, his mother and brothers and sisters, this grant was made. The charter shows his affection for his brother Leswinus, a captive, possibly taken prisoner in the Crusade. Thor wrote a letter (XXXIII., ante, p. 25) to his dearest Lord, Earl David, commending this grant to his protection, and Earl David confirmed it (XXXIV., ante, p. 26).

p. 19. **Ednaham** (now called Ednam), a parish of about 4000 acres in the shire of Roxburgh, 2½ miles from Kelso, on the river Eden.

King Edgar either did not grant the whole of Ednam to Thor Longus, or else part of it was reassumed by the Crown, because King David had land there, held under him by Gilbert the priest of Stitchel for a payment of two shillings a year, which the King granted to the monks of St. Cuthbert (CXI., ante, p. 86).

King David had also a mill from which he gave twelve chalders of malt, and a moor land in which he gave a right of turbary to the monks of Kelso.

Towards the end of his reign King David had two tenants in Ednam, Peter the son of Walter of Stirling (who held a ploughgate for twenty shillings) and Tebald de Norham (who held half a ploughgate for half a mark). These rents the King assigned to his cleric Nicolas (CXCVIII., ante, p. 161). King Malcolm IV. gave land in Ednam to William the son of Nigel (Robertson, Index, p. 24). King William gave the monks of Kelso three ploughgates in Ednam in exchange for *inter alia* the twelve chalders of malt from the mill. Dryburgh Abbey acquired right to part of the land which St. Nicolas the cleric got. (Reg. de Dryburgh, pp. 113, 117.)

Mr. Cosmo Innes (Sketches, p. 109) notices a confirmation by King Alexander II. of a sale of half a ploughgate in Ednam. There was a Hospital there (Reg. de Dryburgh, p. 113). At the end of the twelfth century a considerable part of the manor was held by the Priory of Coldingham and by the Abbots of Kelso and of Dryburgh and by the Hospital. What remained of the Crown land was granted by King Robert the Bruce to Walter the Steward on his marriage to the King's daughter (Robertson, Index, p. 9). Robert the Steward (afterwards King Robert II.) granted Ednam to Sir Robert Erskine and his wife, and on their resignation it was given in 1390 to Sir John de Edmonston and his wife Isobel, Countess of Angus. The Edmonstons held it until 1773.

p. 19. **Desertam.** Desertum in Ireland meant a hermitage or asylum for penitents (Pref. Nation. MSS., Ireland); here it means uncultivated or abandoned land.

p. 19. **Et si quis**: "Parmi les clauses finales des documents les plus anciens, celles qui ont pour objet d'en menacer les violateurs éventuels occupent une place importante. Elles se rencontrent, plus ou moins développées, dans la plupart des chartes antérieures à la seconde moitié du XII. siècle et ont persisté jusqu'au XIII. et même au delà dans un certain nombre de documents.

"Ces clauses peuvent se deviser en deux catégories: les unes menacent de châtiments spirituels, d'autres de peines temporelles et en particulier d'amendes" (Giry, Manuel de Diplomatique, p. 562).

XXV.

From Gerberon's edition of Anselm's Letters, Lib. III., Epist. 132, and 2 Concil., 169.

This is a letter of the Archbishop of Canterbury in answer to one from King Alexander I., in which he had asked the Archbishop for his

prayers for King Edgar, who had lately died. The Archbishop congratulates the king on his accession, and prays that he may be a wise and successful ruler.

p. 20. **Anselm** was born at Aosta in Italy, A.D. 1033; he became a monk at Bec A.D. 1060, and was abbot there A.D. 1073-93. King William Rufus appointed him Archbishop of Canterbury in 1093. He died in 1109. He had the best of friends and biographers in Eadmer, whose Historia Novorum is a history of the life and times of Anselm.

p. 20. **Alexander I.**, King of Scots, was the fourth son of King Malcolm III. and Queen Margaret. He was born about 1077. In his youth it is probable that he lived in England. He was at Durham on 4 September, 1104, when the body of St. Cuthbert was translated and placed in the Cathedral. Alexander held the lordship of Gowrie, where he had a castle—Baledgar. He succeeded his brother Edgar as king on 8 January, 1107, and reigned for seventeen years. The Chronicon Elegiacum (Chron. P. and S., p. 181) said: "Tota . . . pax firma vigebat." Wyntoun and Boece record the energy with which he repressed and punished a conspiracy, and a revolt in the north.

Ailred, Abbot of Rievaulx (Twysden, 368, copied by Wendover, Wyntoun, 7. 5, line 21, Fordoun, 5. 36), wrote of him: "Clericis et monachis satis humilis et amabilis erat, caeteris subditorum supra modum terribilis, homo magni cordis ultra vires suas se in omnibus extendens. Erat autem litteratus et in ordinandis ecclesiis, in reliquiis sanctorum perquirendis in vestibus sacerdotalibus librisque sacris conficiendis et ordinandis studiosissimus, omnibus etiam advenientibus supra vires liberalissimus, circa pauperes vero ita devotus ut in nulla re magis delectari quam in eis suscipiendis, lavandis, alendis, vestiendisque videretur."

The chronicles and charters of his time were connected with the church; so that we know more of his relations to churchmen than of his rule over Scotland.

In June, 1107, six months after his accession to the throne, the King appointed Turgot, Prior of Durham, to the Bishopric of St. Andrews. After disputes as to whether he should be consecrated by the Archbishop-elect of York or by the Archbishop of Canterbury, Turgot was at last consecrated by York. He retired to Durham, where he died in 1115.

It was not until 1120 that the celebrated Eadmer was chosen to be Bishop of St. Andrews, but he and King Alexander did not agree. He resigned his see, and St. Andrews was again left without a bishop.

John, Bishop of Glasgow, who had had some experience of Scotland and of the king, was consulted by Eadmer, who said: "If as a son of peace you desire peace, you must seek it elsewhere than in Scotland. As long as Alexander reigns, it will be vain for you to expect any friendly intercourse with him or quiet under his government. We are thoroughly acquainted with his disposition; it is his will to be everything himself in his own kingdom. He is incensed against you, though he knows no reason for his resentment, and he will never be perfectly reconciled to you, although he should see reason for a reconciliation. You must therefore either abandon this country, or, by

accommodating yourself to its usages, dishonour your church and hazard your salvation."

Two years afterwards Eadmer offered to return to Scotland, but the king did not listen to him, and it was not until Eadmer's death, in 1124, that King Alexander appointed another bishop to the see of St. Andrews.

While those bishops found the king a difficult man to deal with, he was, in his own way, liberal to the Church. In the legend of St. Andrew (Chron. P. and S., p. 189) he is called "Sanctae Dei Ecclesiae specialis amator."

Sir Archibald Dunbar says that he established the Bishoprics of Dunkeld and Moray in June, 1107, on the day on which Turgot was elected to St. Andrews; but for that statement there is no evidence.

He restored lands and made valuable gifts to the Church of St. Andrews, probably about the time when Bishop Robert was elected. He also granted lands to the Church of Dunfermline. He confirmed King Edgar's gifts to the monks of St. Cuthbert. He founded a monastery at Scon and liberally endowed it. He also founded a religious house on St. Colm's Island.

It is an interesting question whether Alexander was king of all Scotland, or whether his brother David ruled over part of the country south of the Forth and Clyde. Ailred, in the History of the Battle of the Standard, makes Robert de Brus say that King Edgar bequeathed to David a portion of his kingdom, which Alexander was driven to yield from fear of the Normans or English; and the anonymous writer of the Introduction to the Registry of the Bishopric of Glasgow speaks of David as princeps and dux of Cumbria. Many writers of Scottish history have asserted or assumed that the kingdom was dismembered in the reign of Alexander; but in my humble opinion Earl David was not a prince or ruler, independent of the King of the Scots. He was only the owner or overlord of lands which Edgar had bequeathed to him. The often-repeated statement that during King Alexander's reign David was ruler of Cumbria is, I think, without foundation.

King Alexander married Sibylla, an illegitimate daughter of King Henry I., a woman without character or attractions, who died in 1122. It is said (Sir Archibald Dunbar, Scottish Kings, p. 53) that the king had an illegitimate son, Malcolm, who gave trouble to King David; but the paternity of that Malcolm is quite uncertain. Sir Archibald Dunbar carefully examined the chronicles as to the date of Alexander's death, and the result of his investigations is that the king died at Stirling on 23rd April, 1124. He was buried in the church at Dunfermline, and was succeeded by his brother, Earl David.

In the Treasury of Durham there are three original charters by Alexander, Nos. XXVI., XXVII., and XXXI., pp. 21, 22, and 24.

p. 20. **Pro fratre vestro**: King Edgar, who died in January, 1107. Ailred said of him: "Edgarus homo erat dulcis et amabilis cognato suo regi Edwardo per omnia similis, nichil tyrannicum nichil durum nichil avarum in suos exercens, sed cum maxima caritate et benevolentia subditos regens" (Twysden, 367).

p. 20. **serviant** is a clerical error for serviunt.

p. 21. '**De fratribus nostris**': monks sent by the Archbishop.

XXVI.

The original charter is at Durham, with a seal. It was printed in Smith's Bede, p. 761 ; Raine's N. Durham, Appendix, p. 3, No. x. ; Anderson, Diplom., Plate VIII. ; a facsimile in the National MSS. of Scotland, No. VIII. Smith describes the seal : " In sigilli ejus obversa facie cernitur Rex cum corona, habitu regio indutus, cum gladio in dextra et orbe in sinistra, in throno sedens. Inscriptio est X Alexander Deo Rectore Rex Scottorum. In aversa facie eques armatus cum eadem inscriptione."

The monks of St. Cuthbert had not succeeded in obtaining or in keeping quiet possession of the land of Swinton, which King Edgar has granted to them by Charter XX., ante, p. 17. King Alexander here announces to Algar, the Prior of Durham, that he and Earl David, his brother, confirm King Edgar's gift, and order the Prior and the monks neither to bring nor to defend action regarding Swinton in any court, but to wait until it be heard by the king personally or by those specially commissioned by his letters.

p. 21. **Algaro priori**, Prior of Durham, 1109-1133.

p. 21. **frater meus David**. Swinton must have been part of the land held under the Earl ; hence the king adds that his brother joins in confirming King Edgar's grant.

XXVII.

The original is at Durham, with a seal. It was printed in Smith's Bede, p. 761 ; Raine's N. Durham, Appendix, p. 3, No. XI. ; Anderson's Diplomata, Plate VIII. ; National MSS. of Scotland, No. IX.

This is a repetition of the command to Prior Algar not to litigate regarding Swinton, except in presence of the king. The king informs the Prior that he has many things to say to him in private.

XXVIII.

From Eadmer, Hist. Nov., p. 117 (Selden's edition) ; Rolls' edition (Vol. 81), p. 236 ; 2 Concil., 191.

This is a letter by the king to the Archbishop of Canterbury : " Help us to a successor to Turgot of St. Andrews ; the Pope or the Archbishops of Canterbury have always consecrated the bishops of that see." (Dr. Robertson, Preface to Statuta, p. xxv ; Hailes' Annals, I., p. 57.)

p. 22. **Radulfus . . . Cantuar. Archiepis.** Ralph d'Escures, sometimes called Ralph de Turbine, became a monk of Séez in 1079; abbot, 1089. He fled to England to avoid the violence of Robert de Bellême in 1100. In 1108 he was consecrated Bishop of Rochester; in 1109 he was administrator of the Province of Canterbury on Archbishop Anselm's death, and in 1114 he was elected Archbishop of Canterbury. He had a prolonged dispute with the Archbishop of York regarding their respective rights. He died in 1122.

p. 22. **Episcopus . . . videlicet Turgodus.** There are two accounts of the early life of Turgot. In the continuation of Simeon of Durham it is said that Turgot was a descendant of a respectable Saxon family, and that, after the Norman Conquest, he was confined as a hostage in the Castle of Lincoln, from which he escaped. After a residence of several years in Norway he returned to England, where he was received by Walcher, Bishop of Durham, and was elected Prior of Durham, an office which he held until he was elected Bishop of St. Andrews in 1107.

Another account is, that he and Aldwine were monks of Jarrow, and that they resided for a time in a monastery at Melrose, that he became Confessor to Queen Margaret, and that he was the author of the Life of the Queen, written at the request of her daughter, the Queen of England. He was Prior of Durham, 1087-1109. He was elected Bishop of St. Andrews by King Alexander, 'clero et populo.'

The continuation of the History of Simeon of Durham (ed. Hinde, I., p. 96) states: "Sed per annum et eo amplius dilata est ejus ordinatio propter dissensiones Eboracensis ecclesiae atque ecclesiae Sancti Andreae Scotiae. . . . Sed ne diutius pastore [viduata] vacillaret ecclesia, rogatus a Rege Scottorum Rex Henricus praecepit, ut Eboracensis Archiepiscopus Thomas junior, hunc sine ulla subjectionis exactione consecraret, salva utriusque ecclesiae auctoritate, ut postea, ubi et quando et a quibus ratio exigentur, debitus finis controversiam utriusque partis dirimeret. Veniens ergo sic consecratus Scotiam."

Turgot found his position in Scotland a difficult one: "Cum causis emergentibus digne non posset episcopale officium exercere, Romam ire disposuit, ubi consilio et judicis domini Papae Paschalis vitam suam transigeret. Sed ne id ad effectum perduceret, invalescentibus inter ipsum et regem causis, prae angustia spiritus decidit in melancholiam." (2 Concil., p. 189.)

He left Scotland and returned to Durham, and thence to Wearmouth, and died in 1115. Immediately after his death King Alexander I. wrote this letter, No. XXVIII. Nothing was done. The Archbishop of Canterbury left England in the autumn of 1116 and remained abroad till 1120.

p. 22. **Kal. Septembris**: perhaps a mistake for April. See 2 Concil., p. 191.

p. 23. **Lanfrancus nescimus quo pacto.** This refers to a compact between Archbishop Lanfranc and Archbishop Thomas I. of York at the Council of Windsor, A.D. 1072, assigning to York the primacy over Scotland. (2 Concil., p. 159.)

XXIX.

The original charter is at Durham. Printed in Smith's Bede, p. 762; Raine, N. Durham, Appendix, p. 23, No. CI.; facsimile in the National MSS. of Scotland, No. XIII.; Anderson's Diplomata, facsimile, Plate X.

Smith describes the seal: "In sigillo Davidis comitis cernitur eques armatus cum hac inscriptione + Sigillum Davit Comitis Anglorum Regine fratris."

This confirmation was granted (probably soon after No. XXVI.), at the Court of Henry I., and is witnessed by Matilda, the Queen of England, and by William, her only son.

p. 23. **David** was the youngest son of King Malcolm III. and Queen Margaret. He was born about A.D. 1080, and was not more than thirteen or fourteen years of age when his father was killed at Alnwick.

He is said to have consented to a grant by his brother Ethelred to the monastery of St. Serf's. He may have been then in Scotland, but generally, before he succeeded to the throne, he lived in England at the Court of Henry I., whose queen was David's sister. He succeeded to lands and rights in the south of Scotland on the death of King Edgar.

Ailred, Battle of the Standard (Twysden, 343), represents Robert de Brus as saying to King David just before the battle: "Putasne igitur O Rex quod aequis oculis aspiciet celestis illa Majestas, quod illos insistis absumere per quos tibi tuisque regnum procuratur et securitas in regno? . . . Tu ipse rex cum portionem regni quam idem tibi frater moriens delegavit a fratre Alexandro reposceres, nostro certe terrore, quidquid volueras sine sanguine impetrasti."

In the Register of the Bishopric of Glasgow it is stated that, in the reign of Alex. I., God sent to the inhabitants of the Bishopric, David, the brother of the king, "in principem et ducem," and, later, "David vero Cumbrensis regionis princeps amore precipue Dei partim quoque (ob) religiosi dilectionem et ammonitionem terras ecclesiae Glasguensi pertinentes singulis Cumbriae provinciis que sub dominio et potestate ejus erant non vero toti Cumbrensi regione dominabatur inquirere fecit." From these passages, and from the fact that Earl David restored the Bishopric of Glasgow and founded an abbey at Selkirk, and had lands and rights in the south of Scotland, many of our best historians have held that on the death of King Edgar, the Kingdom of Scotland was divided between Alexander and David. Lord Hailes, I., p. 54, said: "Edgar had on deathbed bequeathed that part of Cumberland which the Scottish kings possessed to his youngest brother David. Alexander at first disputed the validity of this donation, but perceiving that David had won over the English barons to his interest, he acquiesced in this dismemberment of the Kingdom."

Robertson, Early Kings, I., p. 170: "Edgar . . . with his latest breath bequeathed the appanage of Scottish Cumbria to his youngest

brother David," and on p. 183 he speaks "of the dismemberment of the Kingdom by the separation of Scottish Cumbria."

Hill Burton, I., p. 422: "Edgar left it as a bequest or injunction that Cumbria should be ruled by his younger brother David. . . . the disjunction of this part of the dominion of the King of Scots, though it was but a brief arrangement, was still important in history."

Skene, Celt. Scot., I., p. 455: "The death of his brother Edgar placed him, by his bequest, in possession of almost the entire Scottish territory south of the Firths of Forth and Clyde with the title of Earl. The districts thus possessed by him, extended on the east from the Tweed as far at least as the Lammermoor range, beyond which was the Earldom of Gospatric of Dunbar; while the district extending from the Esk to the Forth was retained by King Alexander."

On the same page Skene speaks of Earl David's "independent position," and p. 456: "David's possessions in Cumbria consisted therefore of the counties of Lanark, Ayr, Renfrew, Dumfries, and Peebles . . . he was overlord of Galloway and his rule extended also over Lothian and Teviotdale and the Counties of Berwick, Roxburgh and Selkirk."

Mr. Hume Brown said of Edgar, p. 69, that he "sought to make an arrangement which would ensure a peaceful succession to his own Government. He desired that his brother Alexander should rule with the title of King of the Scots over the country to the north of the Forth, inclusive of Lothian, as far as Edinburgh. To his younger brother David he proposed to give Cumbria and the greater part of Lothian with the title of comes or earl."

Mr. Andrew Lang, p. 99: "Alexander I. only received Scotland north of Clyde and Forth, including Edinburgh. David got Lothian and Cumbria, with the title of Earl." "Mr. Skene makes the probable conjecture that this arrangement was intended to evade English claims on 'Scotland of the Scots.'"

Sir Archibald Dunbar, p. 47: "The Sovereignty of Cumbria and Lothian south of the Lammermoors was delegated by King Edgar when dying to his brother Earl David, in January, 1106-7."

Thus our best historians are agreed that Alexander did not rule over the whole kingdom of Scotland, it may seem rash to attempt to withstand the weight of such authority, but, nevertheless, I venture to express the opinion that Alexander was King of the whole of Scotland, and that the 'portio regni' which Edgar bequeathed to David, and which David possessed during his brother Alexander's reign, was only a considerable extent of land in the west and south of Scotland, with no greater rights than Earl David had in his earldom in England, which undoubtedly he held under the King.

Between A.D. 1110-1114 David married Matilda, Countess of Northampton, the daughter of Countess Judith (niece of William the Conqueror) by her marriage to Earl Waltheof.

After Earl Waltheof was beheaded in 1075, William the Conqueror proposed to give the Countess Judith in marriage to Simon de St. Liz, but because he was lame the Countess rejected him. The King then gave to him in marriage Matilda, the Countess Judith's eldest daughter, with the Earldom of Northampton and the Honour of Huntingdon. Simon de St. Liz joined the crusade, and died abroad about 1110; his widow soon afterwards married Earl David. She was some years his

senior, for she was born not later than 1073, and David, as already mentioned, was born about 1080. After their marriage they lived at Yardley, in Northamptonshire, until the Earl succeeded to the throne of Scotland.

p. 23. **Mathildis Reginae.** Maud, the wife of Henry I. of England, the daughter of Malcolm III. and Queen Margaret. She and her sister Mary, after the death of their parents, were educated in the nunnery of Romney. She was married to Henry I. on 11th November, 1100, at Westminster. She died 1st May, 1118, and was buried in Westminster Abbey.

p. 23. **Willelmi filii sui.** The only son of King Henry I. and Queen Maud. He was drowned in the wreck of the white ship crossing from Normandy in 1120 when he was 18 years of age. The chronicles do not speak well of the habits of the Prince and his companions.

XXX.

The original is in the Treasury at Durham. The seal is missing. Printed in Raine, N. Durham, App., p. 23, No. c.; National MSS. of Scotland, No. xii.

It was granted between the election of John, Bishop of Glasgow, circa 1115, and the death of Queen Maud of England in 1118, probably at the same time as xxix.; that is addressed to the Prior of Durham, this to John the Bishop and others and to the Earl's faithful Thegns and Drengs of Lothian and Teviotdale.

It is a confirmation by the Earl of all the rights which the monks of St. Cuthbert had at the death of King Edgar, with a special confirmation of their rights in the whole lands of Swinton. Berwickshire lay within the Bishopric of St. Andrews. Probably the reason why this mandate is addressed to the Bishop of Glasgow is that the see of St. Andrews was vacant between the death of Turgot in 1115 and the election of Eadmer in 1120.

p. 23. **Johanni Episcopo.** Keith describes John as "a person of good learning and great probity, who had travelled both into France and Italy for his improvement, and had had the charge of the education of Earl David." He was appointed Bishop of Glasgow, 1115, probably Earl, "consilio clericorumque suorum auxilio in episcopum elegit" (Reg. Epis. Glasg., p. 4), but in later years the Archbishop of York asserted that John was elected in the Church of York as a suffragan. He was consecrated by Pope Paschal before Jany., 1118. The Register of Glasgow states that John was unwilling to accept the Bishopric ("licet invitus").

Early in his episcopate the Bishop refused to recognise the authority of the Archbishop of York. Successive Popes in vain ordered him to be obedient. Pope Gelasius wrote to that effect in 1118; in November, 1119, Pope Calixtus also wrote to him. John not only

did not submit, but he is said to have advised Eadmer, Bishop of St. Andrews, to refuse to conform. On 22nd August, and again on 15th January, 1122, Pope Calixtus wrote the letters XLIV. and XLV. (ante, pp. 40 and 41), enjoining submission to York.

The bishop did not obey, and he was suspended. He then went to Rome to plead his cause, and having failed to convince the Pope, he went to Jerusalem, and there he stayed with the Patriarch for some months. (2 Concil., 21.)

In 1123 he obeyed an order to return to his diocese, and it is probable that he was in Scotland in April, 1124, when King Alexander died and David I. became king.

In the summer of 1125 the Papal Legate, John of Crema, came to Roxburgh with instructions to enquire into and to report to the Pope on the dispute between the bishops of Scotland and the Archbishop of York. If an enquiry was made, no record of it has been preserved.

Shortly after Michaelmas, 1125, Bishop John accompanied the Archbishops of Canterbury and York and the Bishop of Lincoln to Rome, and in December of that year the matter was heard by the Pope. The record runs: "Quia vero Johannes Glesguensis Episcopus ibi in curia praesens erat, Thurstinus Archiepiscopus clamavit se de eo coram Apostolico, eo quod ipse Johannes in Eboracensi Ecclesia sicut suffraganeus ejus electus, et per literas suas a Papae Paschali consecratus, postea nec propter literas ejusdem Papa Paschalis, neque Kalixti, quas ibi recitari fecit, quicquid obedientiae vel reverentiae ei voluit exhibere: similiter et de Episcopis Scotiae conquestus est. Persuasum fuerat Papae Scotiam non esse de regno Angliae, quia volebant pallium requirere Episcopo Sancti Andreae, et ita Archiepiscopum ibi creari. Sed Archiepiscopus Thurstinus et secreto et palam in curia ostendit Scotiam de regno Angliae esse, et Regem Scotorum ligium hominem Regis Angliae esse. Glesguensis autem Episcopus querelae Archiepiscopi ita respondit, se non venisse vocatum, et in legatione domini sui Regis Scotiae ibi esse. Decretumque est diem illi statuere, et Episcopos Scotiae et absentes per literas Domini Papae summonere. Statuitque Papa, Thurstino Archiepiscopo et Johanni diem a proxima Quadragesima in alteram, sic dicens Johanni Episcopo, Frater in quibus bonae memoriae Papa Gelasius te ligavit, nos (non?) te absolvimus. Episcopos Scotiae ad diem designatum per literas vocare disposuit." (2 Concil., p. 23; Twysden, 1719; Stubbs, Act. Pont. Eborac., taken from Hugh the Chanter; Raine, Fasti Ebor., 197.)

The Archbishop of York and the Bishop of Glasgow remained in Rome all the winter of 1125 (2 Concil., p. 23). They returned to England in 1126. The Bishop of Glasgow continued disobedient to the commands of the Pope. Honorius II. wrote to him on 9th December, 1126: "Obey Thurstin of York." (Reg. Mag. Alb. Ebor., p. 1, fol. 51b; 2 Concil., p. 24.)

On 17th July, 1127, the Bishop was at Roxburgh when the Bishop of St. Andrews acknowledged that the Church of Coldingham was free from aid, cain, or conveth (ante, p. 59). He assisted at the consecration of Robert, Bishop of St. Andrews, and he was a witness to the acknowledgment by York that St. Andrews had been consecrated "sine professione et obedientia" (ante, pp. 63 and 64).

Possibly for a few years the relations between Glasgow and York

were less strained, but on 29th November, 1131, Pope Innocent had occasion again to write to the Bishop of Glasgow enjoining obedience to York (ante, p. 81).

Bishop John exercised episcopal functions both in Scotland and Cumberland, which excited the displeasure of the King of England. "Hic Henricus . . . videns Johannem Episcopum Glasguensem per Cumberlandiam ecclesias dedicare, et cetera officia pontificalia secundum morem juris antiqui perficere, cum nec sibi nec Archiepiscopo Eboracensi vellet inde ut domino et praelato obsecundare; incitante Turstino Eboracensi Archiepiscopo, constituit per vim et violentiam Eadwaldum Episcopum in Cumberlandia, ad titulum Carleolensem, contra eum, quia non erat qui ei resistere audebat. Quod cum vidisset Episcopus Johannes Episcopatum suum Glasguensem taliter dimembrari, et neque per legem neque per Regem defendi, transfretavit, et in monasterio Tironensi sese in monachum obtulit." (Fordun, Scotichron., VIII., 3; Book of Pluscarden, Book VI., ch. xviii., Vol. II., p. 7; 2 Concil., p. 27.)

It is doubtful whether Bishop John left his diocese and became a monk as early as the year 1133. There are letters from Pope Innocent II.—one to the Archbishop of York (2nd May, 1134) and another on 22nd April, 1136, and to the Archbishops of Canterbury and York (2 Concil., pp. 28, 29, 30), which seem to me to imply that the Bishop of Glasgow was in Scotland as late as 1136.

The Bishop's name is not among the witnesses to a charter by King David granted on the occasion of the consecration of the Church of Glasgow on 17th July, 1136 (Reg. Episc. Glas., No. III.). Finding a note of a visit to the Orkneys in 1137 of a Bishop John, Robertson (Early Kings, I., p. 404) suggested that the Bishop of Glasgow was in the north of Scotland in that year.

He was recalled to his diocese in 1138.

"A.D. 1138, Sept. 26-29. Provincial Council of Scottish Bishops at Carlisle under the Legate Alberic: Et quoniam cognovit quod Johannis Glesguensis Episcopus curam animarum quam habuerat nulli commiserat, et sine licentia et clanculo Episcopatum suum reliquerat, et, nulla evidente necessitate cogente, apud Tironam monachus effectus est, de illo definivit, ut regius nuntius cum ipsius et Regis pariter litteris pro eo mitteretur; et se redire nollet, sententia super illum daretur et ita factum est" (2 Concil., p. 31; R. of Hexham, Twysden, 325; Hailes, p. 91. J. Prior of Hexham, Twysden, 264.)

During the next nine years John remained in Scotland, occupied with the affairs of his diocese. He founded the Priory of Jedburgh, and was liberal to many churches. In 1140 Hugh de Morville founded the Abbey of Kilwinning, in the diocese of Glasgow, to which were brought monks from the monastery of Tiron, where Bishop John had been a monk; and in 1144 monks from Tiron were brought to Lesmahagow, in Lanarkshire, which was made a cell of Kelso.

In May, 1147, Bishop John assisted at a ceremony at Coldingham at which were present the King, the Bishop of St Andrews, the abbots of Roxburgh and Melrose, and many others. A few days afterwards, on the 28th of the month, the bishop died. (Chron. de Mailros, p. 73.)

John of Hexham, under date 1148, Twysden, 276: "Defunctus est eodem anno Johannes Episcopus Glasguensis, propter excellentiam virtutis David Regis Scotiae familiarissimus. Sepultusque est in ecclesia de Jedderwirth in qua conventum regularium clericorum ipse disposuit."

p. 23. **Cospatrico et Colbano et Rodberto fratribus.** These probably were three monks.

p. 23. **Tegni et Drengi.** The Thegns and Drengs were the Earl's vassals holding lands under him in Lothian and Teviotdale. I take the following from Dr. Maitland's Doomsday Book and Beyond, p. 308:

"Point by point we can compare the tenure of these ministri and equites of the tenth with that of the thegns and drengs of the twelfth and thirteenth centuries, and at point after point we find similarity, almost identity. They pay rent; they have horses, and their horses are at the service of their lord; they must ride his errands, carry his stores, assist him in the chase; they must fight if need be, but the exact nature of this obligation is indefinite. Dependent tenure is here, and we may say feudal tenure, and even tenure by knight's service, for though the English cniht of the tenth century differs much from the knight of the twelfth, still it is a change in military tactics rather than a change in legal ideas that is required to convert the one into the other. As events fell out there was a breach of continuity; the English thegns and drengs and knights either had to make way for Norman milites or, as sometimes happened, they were subjected to Norman milites, and constituted a class for which no place could readily be found in the new jurisprudence of tenures."

Land was held in Lancashire by the tenure of Thegnage and Drengage (Farrar, pp. 2 and 35). In Berwickshire Cospatric, the Earl, addressed a charter "omnibus meis probis hominibus theinis et drengis clericis et laicis," and another "omnibus probis hominibus meis theinis et drengis clericis et laicis (Cartae Monalium de Caldstrem, pp. 6, 8).

XXXI.

The original is at Durham, with a seal. It was printed in Smith's Bede, p. 761; Raine's N. Durham, App. (No. IX., p. 3); facsimile in Anderson's Diplom., Plate IX., in Nat. MSS. of Scotland, No. X.

It was written early in the reign of King Alexander; he seems to speak of King Edgar as recently dead. It is a general confirmation of all King Edgar's gifts to Durham, "et nominatim" that land which lies between Horndean and Cnapdene.

XXXII.

The original charter is at Durham, with a seal attached. It was printed in Smith's Bede, p. 761; facsimile in the National MSS. of

Scotland, No. XI.; in Raine's N. Durham App., p. 23, No. XCIX.; facsimile in Anderson's Diplom., Plate XI.

By charter (ante, XXII., p. 18) King Edgar granted Fishwick and the land between Horewordene and Cnapdene, which was confirmed by Alexander I. (No. XXXI., p. 24). Disputes arose between the monks and the Earl's drengs of Horndean. The Earl held that if the monks could prove that they had right to Horndean they should be maintained in quiet possession. The monks then produced a 'breve' and 'donum' by King Edgar, which the earl sent to the Bishop of Glasgow and to Colban and Cospatric, and directed them to maintain the monks in possession of all the land which that 'breve' gave.

The breve has not been preserved. It was not No. XXII., in which the land between Horndene and Cnapdean was granted, for this dispute related to Horndean itself.

p. 25. **Willelmi nepotis mei.** He was the son of King Duncan II., by Ethreda, daughter of Earl Gospatric. (Chron. Cumb., Dugdale Monast., III., p. 584, and 2 Bain Cal., p. 8, No. 64.) William was still very young when his father was killed in 1094. If Duncan was legitimate, William was the heir to the throne. The older chroniclers and writers called Duncan "nothus," a bastard, but when Torfæus, relying on the Orkneyinga Saga, stated that Malcolm Canmore had married Ingibiorg, the widow of Earl Thorfin, and had by her a son, Duncan, later Scottish historians began to consider Duncan to be legitimate.

I venture to doubt the authority of the Saga even as to the marriage, for Ingibiorg was old enough to be Malcolm's mother, being an elderly lady when her husband Earl Thorfin died, about 1064, even if she did marry the Scottish king it is by no means certain that she bore him a son. William Fitz Duncan was never recognised as the heir to the crown, and the position which he and his family held seems to me to show that his father was not legitimate.

William was the constant attendant of King David. He witnessed a great many of the king's charters, sometimes styled "Willelmus nepos Regis," sometimes "Willelmus filius Duncani." The Chronicle of Cumbria and the Tower document call him "Comes de Murraye." Angus was Earl of Murray until 1130, when he was killed at the battle of Strikathro. It is possible that William held the earldom for a time, but he is not designated earl in any Scottish record. He commanded a division of the Scots army which invaded Northumberland in 1137. After failing in an attempt to take the castle of Wark, he wasted Yorkshire with great barbarity and with monstrous cruelty to women and children. (Rich. of Hexham, Twysden, 318.)

In 1138 William Fitz Duncan with a force of Galloway men advanced into Craven, and in a battle at Clithero, near the source of the Ribble, he gained a victory on the 9th of June.

"Willielmus filius Dunecan circa Clitherou caedens et persequens, procinctum militiae Anglorum in turmis quatuor sibi occurrentem excepit. Quem prima congressionis constantia in fugam actum internicioni dedit, multamque praedam et multitudinem captivitatis

adduxit. Hoc bellum factum est inter Anglos, Pictos et Scottos apud Clitherou feria sexta die quindecimo ante Nativitatem Sancti Johannis Baptistae anno praedicto, id est 1138" (John of Hexham, Twysden, p. 261).

Two months afterwards (22nd August, 1138) William Fitz Duncan was in command of a part of the Scots army at the battle of the Standard. He prevented King David from yielding to the appeal made to him by Robert de Brus on the field of battle. Ailred (1 Twysden, 345): "Sed Guillielmus regis nepos, vir magni animi et belli praecipuus incentor superveniens, ipsum Rodbertum cum maximo furore arguit proditionis, regemque a sententia flexit."

William Fitz Duncan married Alice de Romelie, a great English heiress. She was the daughter of William Meschin, Lord of Copeland, and of Cecilia de Romelie, the heiress of Skipton in Yorkshire.

If a charter printed by Dugdale (Monast., VI., p. 203) be genuine, William Fitz Duncan's marriage took place before 1140, for it is addressed to Thurstan, Archbishop of York, who died in 1140, but as it was witnessed by the abbots of Kirkstall and Sallay, abbeys which were not founded until 1147 and 1153, it is probably spurious. When William married Alice de Romelie, her mother Cecilia was still alive. There is a charter by that lady and "gener meus Willielmus nepos regis Scotiae Dunecani," granting Kildwyke to the church of Embessy "per unum cutellum . . . super altare S. Mariae et S. Cuthberti." Dugdale, Mon., VI., p. 203.

There is a genuine charter by William, of which a facsimile is given by Dr. Whitaker in his History of Craven, p. 162.

"W. Dunecani filius omnibus hominibus de Craua Francis et Anglis salutem.

"Sciatis me concessisse Domino Deo et Sanctae Mariae et Sancto Cuthberto de Ameseia et canonicis ejusdem loci totam villam de Childeuuic cum molendino et cum socca molendini et quicquid ad praedictam villam pertinet in bosco in plano in aquis et pascuis, in elemosina libere ab omni seculari servitio et absolute pro salute animae meae et uxoris meae et antecessorum meorum. Testibus Adam Suani filio et Ranulfo de Lindesia et Waltero Vianeis et Roberto Engerranni filio et Durando et Willelmo de Archis et Heltone Malleurer et Ricardo Elsulf filio et Rogero Tempeste et Simone Gospatrici filio et Rogero Faisinton et Aldredo Ulfi filio et Ranero fratre suo et Willelmo de Risletonae et Drogone breuifactore."

There is a curious passage in the history by John, prior of Hexham, under date A.D. 1152 (1 Twysden, 279): "Et Rex tunc cum exercitu suo confirmavit Willielmum filium Dunecani nepotem suum in Honorem de Sciptun et Crafna, munitiunculamque ab hostibus constructam effregit, ejectisque militibus diruit. Peccaverunt ibi Scotti in direptionibus ecclesiarum, quo quibus rex dato unicuique ecclesiae calice argenteo satisfecit."

It is difficult to understand how the King of Scotland had power to interfere by force in Yorkshire, and why William needed his assistance. The Tower document, No. $\frac{4}{3}\frac{5}{9}$ (2 Bain, Cal., p. 17), seems to say that King David was at one time opposed to William Fitz Duncan: "War was moved between the King of Scotland and William." I do not profess to understand either this passage or that in John of Hexham.

William Fitz Duncan died before 1151, survived by his widow Alice

de Romelie, a son, William of Egremont, and three daughters. Several charters by Alice de Romelie have been preserved (Whitaker's Craven, pp. 430, 438, 456).

Their son William was by some supposed to have been the "Boy of Egremont" who was drowned at the Strid in the Wharf, his hound holding back when he sprang across the stream. The news was brought to his widowed mother by the falconer, who said:

> "What is good for a bootless bene?
> She made answer: Endless sorrow,
> For she knew that her son was dead. . . .
> Long long in darkness did she sit,
> And the first words were: Let there be
> In Bolton, on the field of Wharf,
> A stately Priory."

It is probable, however, that the Boy of Egremont was a brother and not a son of Alice de Romelie. The Priory of Embessy was founded by her mother, possibly in memory of a son, and when the monks of Embessy, in 1151, were removed to Bolton by Alice de Romelie (the terms of the charter suggest that William Fitz Duncan was then dead), her son William of Egremont consented.

It is thus clear that the Priory of Bolton was not founded in memory of the later William, for he himself was one of its founders. William of Egremont died young. The three daughters, Cecilia, Amabel, and Alice, were in ward of King Henry II., who gave them in marriage to men of rank; the eldest married the Earl of Albemarle, who had commanded the English at the battle of the Standard, in which William Fitz Duncan was engaged on the side of the King of the Scots.

The Orkneyinga Saga stated that "King Melkolf and Ingibiorg had a son Dungad, King of Scotland, the father of William, who was a good man. His son was William the Noble, whom all the Scots wished to take for their King" (Coll. de Rebus Alban., p. 346). If William "the good man" was William Fitz Duncan, certainly William the Noble was not William of Egremont, but another William, of whom we have no contemporary Scottish account.

In 1179 King William the Lion had some trouble with a revolt of the men of Ross and Moray under a claimant who (Fordun says) "pretended to be the son of William the son of Duncan the Bastard."

p. 25. **Osbern the chaplain** is probably Osbertus capellanus, a witness to Earl David's charter to the Abbey of Selkirk.

p. 25. **Hugo de Morevilla** was a Northamptonshire baron, the lifelong friend of King David. He witnessed a large number of the king's charters. In 1131 his name appears in the English Pipe Rolls as a proprietor in the counties of Northampton, Huntingdon, and Rutland, when he was excused from payment of Danegeld. His son was given as a hostage to England in 1139. In 1140 Hugh de Moreville assisted William Cumin in the attempt to get the Bishopric of Durham.

No charter to De Moreville has been preserved; but it is known that David I. gave him lands in Lauderdale and in the Lothians, and the lordship of Cunningham in Ayrshire.

About the middle of the twelfth century he was Constable of Scot-

land. He founded and endowed the abbeys of Kilwinning and Dryburgh. His wife was Beatrix de Bellocampo, of a noble Northamptonshire family.

They had at least three sons and a daughter: (1) Richard. (2) Malcolm, who, when hunting, was accidentally killed by Adulf, the brother of Alexander de St. Martin (Reg. de Dryburgh, pp. 68, 69). (3) Roger, alias Robert (Reg. de Dryburgh, p. 3). Ada (Reg. de Dryburgh, p. 68).

Hugo de Moreville took the habit of a canon regular in Dryburgh; his son Richard, in a charter (Reg. de Dryburgh, p. 4), said: "Preterea . . . confirmo eidem ecclesiae donationes patris mei quas . . . eisdem fratribus dedit . . . die qua pater meus canonicalem habitum sumpsit." He died in 1162 (Chron. of Melros, p. 78).

The relationship of Hugo de Moreville to the Cumberland family of De Moreville of Burg is not certain. Probably Simon de Moreville, who married the heiress of Ranulf Engaine of Burg and who held that barony in the fourth year of King Henry II. (1158), was his nephew.

Hugh de Moreville, who had a grant of Knaresborough Castle and other lands in Yorkshire and Westmorland in 1158, who was a benefactor to Holmcultram Abbey, and who was one of the murderers of Archbishop Thomas à Becket in 1170, was a son of Simon de Moreville, and a grand-nephew of Hugo de Moreville of Lauderdale and Cunningham.

XXXIII.

The original is in the Treasury at Durham, with a seal. It was printed in Smith's Bede, p. 763; facsimile in Anderson's Diplom., LXIX.; Raine, N. Durham, App., p. 38, No. CLXII.; National MSS. of Scotland, No. XIV.

The seal: "Effigies hominis sedentis, nudi caput, tenentis capulum gladii in dextra et laminam ejusdem in sinistra. Haec autem est sigilli inscriptio THOR ME MITTIT AMICO."

It is a 'breve' addressed by Thor Longus to his dearest lord, David the Earl, repeating his gift to the monks of St. Cuthbert, and requesting Earl David to confirm the grant.

XXXIV.

The original has not been preserved. This is taken from Raine, N. Durham, App., p. 23, No. CII., he found it in the smaller Chartulary of Durham.

It was granted after the appointment of John to the Bishopric of Glasgow in 1115, and before the death of King Alexander in 1124. It is a fragment, without witnesses, in which Earl David confirms Thor's

grant of Ednam (XXIV., ante, p. 19; XXXIII., p. 25). Thor did not mention the Earl's wife, though here David said the grant was "pro anima . . . conjugis meae."

XXXV.

The original charter has not been preserved. This is taken from the Liber de Calchou in the Library of the Faculty of Advocates which is a collection of copies of charters belonging to the monastery of Kelso, compiled between 1300-1325.

While David was Earl he founded at Selkirk a house for monks, who came, at his request, from the Abbey of Tiron, near Chartres, in France. Selkirk, the site selected, proved to be unsuitable; and about ten or fifteen years after the arrival of the monks they were removed to Kelso, on the Tweed, close to Roxburgh.

On the occasion of the foundation of the abbey at Selkirk, and during the next few years, the Earl was liberal in his grants. I am inclined to think that each of these was made by a separate writing, and that this charter is a later composition made by uniting the several grants, and at the end massing the names of all the witnesses who had attested each charter.

It is difficult to give this an approximate date. The abbey is said to have been founded in 1113, but this charter cannot have been written before 1119, for it mentions Herbert, who became abbot in that year. Radulf, the first abbot, resigned in 1117. William, the second abbot, remained less than two years, as in 1119 he too returned to Tiron. Herbert, the third abbot, persuaded the king to remove the monks to Kelso about the year 1128.

p. 26. **Selechirche.** Selkirk is a town and parish in the shire of that name, on the River Ettrick, below its confluence with the Yarrow, and above its confluence with the Tweed. It was a demesne of the Crown, part of the land bequeathed by King Edgar to his brother David.

p. 27. **Gieruam**: the Yarrow. Though, after the confluence of the Yarrow and Ettrick, the stream is now called the Ettrick, at the date of this charter it was called the Gierva. It requires a local knowledge, which I do not possess, to identify the stream which, descending from the hills, pours into the Gierva, and that on the other side, which, descending from Crossinemara, pours into the Tweed. I do not find them identified by Mr. Craig Brown.

p. 27. **Ultra eundem rivulum.** To understand and explain this demands a minute knowledge of Selkirk. The description seems to refer to a bit of land near the old castle. The king did not give to the monks the whole of Selkirk; he retained some land, and in later

days, while the monks of Kelso owned Abbot's Selkirk, there were lands and a church of King's Selkirk.

p. 27. **Middelham, Bothendena,** and **Aeldona** comprised a considerable estate of about 1000 acres in the parish of Bowden, lying to the east of Selkirk.

p. 27. **Totum dominium meum de Malros.** Melrose is on the Tweed some miles below Selkirk, to the east. The Earl's demesne lands there must not be confounded with those of the old monastery fragrant with memories of St. Cuthbert. **Sproston.** Sprouston is a village in Roxburghshire on the Tweed, about two miles and a half from Kelso, at some distance from Selkirk; and the estate there granted was a valuable one. **Berewyce.** This ploughgate and farmsteading in Berwick were probably outside the burgh walls, but not far off, because the maisura was below the church adjoining the river. There were many fishings in the river; of one of these (which is not stated) the monks of Selkirk were to have half the fish. The seventh of the mill was enjoyed by the abbey till the reign of Alexander II., when there was an agreement between the abbey of Kelso and the community of Berwick regarding it. The monks of Lindisfarne had right to eight shillings from the mill by a grant from William the Lion.

p. 27. **Census.** From Berwick, as from all the king's burghs, the king had right to an annual rent or census; and grants from the revenue from burghs are frequent in all the Scottish chartularies. This grant of forty shillings from Berwick was confirmed by Malcolm IV. and by William the Lion.

p. 27. **Rokesburge.** The grants of lands and rights in Roxburgh are almost identical with those granted in Berwick. They show the rights which the Earl as overlord had in these burghs.

p. 27. **Galweia.** The early history of Galloway is obscure. From this it appears that the Earl had from it a can or rent payable in cheese.

p. 27. **Dimidietas,** etc. This is the earliest example of what is found in other chartularies, a grant of a share in the surplus of the kitchen—hides, fat, fleeces, deerskins, etc. The value of these must have depended on the length of time that the Earl or King remained in his castle near the abbey; for I take it the grant was only of skins, etc., from the kitchen of that castle. It cannot have been a grant of all hides from every house at which the king ate, as it would be impossible to collect kitchen-stuff at distant places.

p. 27. **Veltrarii,** I think, means huntsmen. Spelman (Glossarium, p. 551) says that "veltris" is a hound.

p. 27. **Hardingestrop,** or Hardingestrorna, was a demesne of Earl David as Earl of Northampton. It lay close to the town of Northampton (see Note to No. XLVI.)

p. 28. **Haec omnia.** This made a large estate—more than enough, one would think—for a small community of twelve or thirteen monks. It is interesting to observe that there is no grant of tithes nor of churches, and nothing is said as to an abbot's court.

p. 28. **John, Bishop of Glasgow**, in whose diocese Selkirk lay.

p. 28. **Herbert** was the third abbot of Selkirk. He was the first abbot of the new monastery at Kelso. For many years he was called abbot of Roxburgh. In 1147 he was promoted to the bishopric of Glasgow, and died in 1164. He must not be confounded with Herbert the Chancellor, who was a different man (pp. 82 and 85).

p. 28. **Testibus.** There is here a great array of witnesses. It is not said where, or on what occasion, they met. The list seems to me either the accumulation of the witnesses to the several grants of which this was a confirmation, or the invention of the writer, entering the names of most of the notable men who attended Earl David.

p. 28. **Henry, son of the Earl**: the only son of David I. If this charter was granted in 1119 Henry was then a boy of four or five years old.

p. 28. **Gvalthelinus, Osbert,** and **Alwyn** were probably chaplains of the Earl's household.

p. 28. **Robert de Bruis**: see note to the Annandale charter.

p. 28. **Robert de Umframvilla**: probably a son or a grandson of Robert de Umframville who got Redesdale in Northumberland from the Conqueror (1 Dugd., Bar., 504; 1 Chalmer's Caledonia, p. 510). Robert de Umframvilla was a witness to several of the earlier charters by King David. He had two sons, Odenel and Gilbert.

p. 28. **Walter de Bolebec** ('in' is a clerical error), of a Northumbrian family (6 Hodgson, Northum., 224), witnessed two of King David's charters. He founded Blanchland Abbey in Northumberland. I do not know that he had any land in Scotland.

p. 28. **Robert de Paintona**: so far as I know, he appears in no other Scottish record.

p. 28. **Gospatric frater Dolfini,** the son of Earl Gospatric, formerly Earl of Northumberland, who got the lordship of Dunbar from Malcolm III.

p. 28. **Paganus de Braiosa**. William de Braose got lands in England from the Conqueror. Paganus was probably his son. The Braoses became a distinguished family in England, Wales, and Ireland. William de Braose about 1201 rebelled against King John. His wife and son were seized and starved to death, while he escaped as a beggar to Paris. Paganus is the only member of the family known in Scottish Records. He witnessed this charter by Earl David, and he is one of those named as a witness in the Inquisitio (ante, p. 47). He also appears in two charters of Coldingham, LXV., ante, p. 55, and XC., ante, p. 73.

p. 28. **Robert Corbet.** Not much is known of him. The Corbets held Drayton in Northamptonshire, under Earl David. Robert Corbet is a witness here, and to several charters by King David (pp. 42, 47, 50, 63, 69, 77, 82), all granted in the early part of his reign. Robert Corbet either died or returned to England before the war with Stephen (A.D. 1138). It is possible (1 Chalm. Caled., p. 506) that he was the father of Walter Corbet, who in the reign of Malcolm IV. and William I., held Malcarveston and other

lands in the south of Scotland. The granddaughter of Walter Corbet married William, a son of Patrick, Earl of Dunbar. Her three sons, Nicholas, Walter, and Patrick, took the name of Corbet, and possessed lands in Northumberland (Laing's Charters). Men of the name appear from time to time in Scottish records, but their descent from this Robert has not been traced.

p. 28. **Reginald de Muscampf** (de Musco campo). King Henry I. gave Wooley in Northumberland to Robert de Muscamp. The family flourished for some generations (1 Banks, 146; Raine, N. Durham, p. 266). I am not able to state the relationship between the Reginald de Muscampf here mentioned and others of the name. As Reinaldus de Muscans he appears as a witness to the Inquisitio (ante, p. 47).

p. 28. **Walter de Lyndeseia.** He was the earliest of the name known in Scottish history. He appears as a witness to the Inquisitio (ante, p. 47), and he witnessed the charter of Earl David to Glasgow (ante, No. XLVI., p. 42).

In the Lives of the Lindsays it is said that this Walter disappears after the reign of Alexander I., and that the Walter de Lindesay of later charters in King David's reign was his son. I do not know any evidence that the first Walter acquired land in Scotland.

p. 28. **Robert de Burnetvilla** was a witness to the Inquisitio (ante, p. 47), to the Charter to Holyrood, of Airth (ante, XCIII., p. 76), to the Charter to Coldingham, of St. Mary's Church at Berwick (ante, XCIX., p. 79), to the Great Charter of Holyrood as Robert de Burneville (ante, No. CLIII, p. 119), and to the Charter to Coldingham, A.D. 1147 (ante, CLXXVIII, p. 140). A Robert de Burneville and Robert his son are witnesses in the reign of William the Lion. I do not know where Burnet (or Burne) ville was.

p. 28. **Cospatricus vicecomes**: a witness to the confirmation by King David to the monks of St. Cuthbert, A.D., 1126 (ante, LXV., p. 55), and to the charter to the church of St. John, Roxburgh (ante, LXXXIII., p. 69). I am not sure whether there be anything to show of what place he was Sheriff.

p. 28. **Cospatric son of Aldeue.** Cospatric filius Alden is a witness to the Inquisitio (p. 46).

p. 28. **Uchtred son of Scot** is a witness to the Inquisitio (p. 46).

p. 28. **Macchus**: probably Maccus son of Undweyn, who was a witness to the Inquisitio (p. 46), and to the Great Charter of Melros, (CXLI., p. 108). He is supposed to be the ancestor of the Maxwells.

p. 28. **Colbanus**: may be the Colbanus (pp. 23 and 25), to whom Earl David addressed charters.

p. 28. **Gillemichel**: possibly the same Gillemichel who witnessed King David's charter to Govan (p. 82). He may be the son of Constantine, Earl of Fife.

p. 28. **Odard, the Sheriff of Babenburch**: Hinde, History of Northumberland (1858), Pt. I., pp. 203-4; Wilson, Ancestor, No. III., p. 74; Prescott's Wetherhal, pp. 145, 146; Round, Genealogist, v., p. 25. Hinde says: "Odard, the first sheriff under the Crown on record, occurs as a witness to the foundation charter of the Abbey of

Selkirk in 1113, and is there described as vicecomes de Bebbanburch. He is mentioned by Richard of Hexham in connection with the early history of the monastery founded in 1114, and by Symeon of Durham in 1121." Mr. Round says that Odard's father was Ligulf de Bebbanburch (XX., ante, p. 18), and that Odard vicecomes de Babenburch is the same as Udardus vicecomes, who at one time held Swinton (CI., ante, p. 80).

p. 28. **Liulf son of Uchtred.** There was a Liulf, son of Uctred, who held land near Coldingham (CLXXIV.) in the reign of David I.

p. 28. **Radulf Anglicus and Aimar Galleius** have not been identified.

p. 28. **Roger de Lerecestria**: Hugh de Lerecestria was the Earl's sheriff in Northampton. Roger probably was connected with the earldom.

p. 28. **Adam camerarius**: Earl David's chamberlain.

XXXVI.

The original has not been preserved. It is in the recent Chartulary of Scon in the Library of the Faculty of Advocates, printed in the Liber de Scon. Maitland Club edition, p. 1, No. 1.

Translation: In the name of the Holy and Undivided Trinity, in which one God is adored, and worshipped, and believed. For as David the king and prophet testifies that holiness always becomes the house of God, I, **Alexander**, by the grace of God, King of Scots, son of King Malcolm, and Queen Margaret, and I, **Sibilla**, Queen of Scots, daughter of Henry, King of England, wishing to adorn the house of God, and to exalt his dwelling-place, do grant and hand over to God, and to St. Mary, and St. Michael, and St. John, and St. Laurence, and St. Augustine, the church dedicated to the Holy Trinity which is in Scone, free, exempt and quit from every exaction and disturbance from which the royal dignity and power are able to free, protect, and defend it. Accordingly, to extend and exalt the worship and honour of God, it has pleased us to request Dominus Adelvald, the Prior, [to send us] some of the canons who served God in the church of St. Oswald, the fame of whose religion had become known to us by the honourable testimony of upright men. These having been granted to us by the Prior himself, free from any profession and subjection, to them have we committed the care and custody of the said church, so that they might there establish the service of God canonically according to the rule of St. Augustine. The lands, possessions, and customs assigned to that church, for ourselves and for the souls of our fathers and mothers, and brothers and sisters, our ancestors and our successors, who die in the faith, We grant to be possessed for ever. And in order that no one may

presume to violate these grants by sacrilegious violence, We by our royal authority confirm them, by the evidence of this charter.

Now the lands and possessions are these: Infervus with five ploughgates of land, Benchorin with three ploughgates, Fotheros with one ploughgate, Kynochtred with one ploughgate, Fingask with one ploughgate, Dufrothni with three ploughgates, Cleon with three ploughgates, Liff with six ploughgates, Grudin with ten ploughgates, Invergowrie with three ploughgates, and five 'mansiones,' one in Edinburgh, one in Stirling, one in Inverkeithing, one in Perth, and one in Aberdon; the free use of the water of Tay, so that they may fish in it, as for the use of the king; and the can of one ship, whether that of the brethren themselves, or of him whom they shall nominate; one-half of the skins from the king's kitchen, and all the skins of rams and lambs, and half of the fat and lard, and the tenth of the king's bread, wherever he may be, north of Lambremor.

I, Alexander, by the grace of God, King of Scots, with my own hand confirm these, and seal them with the seal of my image.

I, Sibilla, by the grace of God, Queen of Scots, with my own hand confirm these.

I, Gregory, Bishop by the authority of God, and of the Holy Apostles Peter and Paul, and of St. Andrew the Apostle, that no one may presume to violate these, confirm them under anathema.

I, Cormac, Bishop by the authority of God and of the Holy Apostles Peter and Paul, and of St. Andrew the Apostle, that no one may presume to violate these, do confirm them under anathema.

I, Alexander, nephew of King Alexander, adhibit my testimony to these. I, Beth, Earl, the same. I, Gospatric (brother) of Dolfin, give assent. I, Mallus, Earl, give assent. I, Madach, Earl, give assent. I, Rothri, Earl, give assent. I, Gartnach, Earl, give assent. I, Dufagan, Earl, give assent.

Also of this, are these other witnesses, William brother of the Queen, Edward the Constable, Gospatric son of Walthef, Usieth, Alfricus pincerna.

I, Forn, give assent.

Although this charter has been accepted as genuine by many historians and antiquaries, I venture to think that it is spurious.

(1) It is not in the older Register of Scon, compiled about 1320 (the earliest deed in which is the Bull of Pope Alexander III., A.D. 1164). It appears in the later Register, written between 1450 and 1460.

(2) There is evidence that, long before the Register in which it appears was written, the old charters of the monastery of Scon had been lost or destroyed.

In a charter which purports to have been granted by Malcolm IV. (1153-1164) it is said: "Inde est quod ad honorem Dei et ad reformationem ecclesie de Scon in principali sede regni nostri fundatae, quam incendio vastatam esse. Cognovimus . . . ad ipsius ecclesiae firmitatem et provectum abbatem in ea constituimus. Privilegia vero antecessorum nostrorum quae predicto incendio in favillam redacta sunt sigilli nostri munimine innovavimus bona vero et possessiones et libertates eidem ecclesie ab antecessoribus nostris rege scilicet Alexandro, bonae memoriae viro et illustri regi, David avo nostro necnon et a nobis collatas eidem ecclesie et abbate et canonicis ibidem Deo servientibus et servituris in perpetuum damus et concedimus. Inspectis siquidem privilegiorum predictorum transcriptis donationes prefatas prout eidem ecclesie a predictis regibus et a nobis collate sunt in presenti ordinamus pagina."

Even these copies, and with them many later charters were destroyed. In 1298 Thomas the abbot stated that the monastery had been destroyed by the English army, "celaturis ecclesiae, refectorii, dormitorii, claustrorum, camerarum, hostiis, fenestris, altarium, armariolis quam in cistis et scrineis . . . et ubicunque in dict monasterio inventis confractis et serruris earum avulsis et asportatis quod quidem factum ita horribile et enormiter perpetratum. Evidentia facti sine onere alterius probationis unicuique intuenti. Ita manifestum erat et notorium quod nulla posset tergiversatione celari cistas in quibus tam cartae et munimenta regum bone memorie David Malcolmi, Willi. Alexandri et Alexandri quondam regum Scotie, etc." (Lib. de Scon, p. 89).

(3) The style is unlike that of other charters of the early part of the twelfth century.

Mr. Skene (Celt. Scot., 3, p. 59) said, "It was framed upon the model of the Saxon charters." After the Conquest the phraseology of the Saxon charters went out of fashion and was replaced by the terser Norman style. This charter looks like the work of a scribe who had before him a copy of a charter belonging to the earlier Saxon period.

(4) It states that the King asked Adelwald, the prior of St. Oswald's, to send him some of his canons and that the request was granted. Adelwald did not become prior of St. Oswald's until 1128, four years after King Alexander died.

(5) The manner in which the king announces that he makes the grant is abnormal. He professes to have both signed and sealed it.

The statement that he and the queen marked with their own hands shows (I think) that this charter is the production of a later time than 1113-1124.

(6) Most of the consenters and witnesses are unknown. I think that some of the names are the inventions of the writer of the charter.

p. 28. **In nomine**, etc. This is an unusual commencement to charters of the twelfth century. Only one of those collected in this volume, and none of the ancient English charters in Mr. Round's book, commence with an invocation. Many old charters on the Continent and in England in the Saxon time so commence, but in the twelfth century it had become rare, and from that time is to be found only in Testaments and in Instruments by notaries public.

Giry, Manuel de Diplomatique, p. 533: "Invocation n'est pas une formule essentielle. Très générale à la fin du X. siècle, on rencontre dès le XI. beaucoup d'actes qui en sont dépourvus. Elle est depuis le XII. siècle exceptionnelle dans les actes des rois de France et en disparaît totalement sous le règne de Philippe le Bel . . . Mais elle a persisté dans les actes des notaires apostoliques et dans les testaments, où la tradition s'en est conservée jusqu'à nos jours."

p. 28. **Filius regis Malcolmi et reginae Margaretae . . . filia Henrici regis Angliae.** This strikes me as having been written by one who, writing long after, desired to fix which of the Scottish kings called Alexander was the granter. I doubt whether Sibylla, an illegitimate child, would call herself the daughter of the King of England.

p. 29. **Ecclesiam . . . dedicatam.** This implies that the charter was not granted until after the church of the monastery was completed and dedicated. The church (it is stated) was dedicated to the Holy Trinity, and it was granted and handed over to God, St. Mary, St. Michael, St. John, and St. Laurence. This is an unusual multiplication of saints.

p. 29. **De ecclesia Sancti Osualdi . . . a domino Adelualdo priore requirere.** St. Oswald's at Nostell in Yorkshire was originally a house of poor hermits (dedicated to St. James), in which Ralph Adlave, chaplain and confessor, settled, and where he afterwards founded a priory in Archbishop Thurstan's time. The earliest charter to it by Henry I. is dated 10th January, 1121 (Dugdale's Monasticon, VI., pp. 89-92; Allen's History of Yorkshire, III., p. 224).

p. 29. **Adelualdus**: second prior of St. Oswald's, 1128-1133.

p. 30. **Ego Alexander . . . propria manu mea haec confirmo . . . Ego Sibilla . . .** In the twelfth century the invariable method of authenticating writs was affixing of the seal of the granter. "Until quite modern times, no charters, even of private individuals, were subscribed by the granters. The deed was completed by affixing the granter's seal" (Cosmo Innes, Legal Antiquities, p. 68).

p. 30. **Gregorius Episcopus.** His see is not stated.

Gregory, the Bishop of Moray, was a witness to another charter of Alexander I. and to a charter to Dunfermline (circa A.D. 1128). Sir Archibald Dunbar says that the bishopric of Moray was founded on 20th June, 1107 (the day on which Turgot was elected Bishop of St. Andrews), but there is no authority for that statement. Mr. Robert-

son, Early Kings, I., p. 334; Mr. Cosmo Innes, Preface to the Registr. Morav., p. xi; and Mr. Skene, Celt. Scot., 2, pp. 368 and 375, accept this 'foundation charter' of Scon and the other charter (XLIX., ante, p. 43) as proof that the bishopric was founded in the reign of King Alexander; but neither of these charters can be relied on. The Bishop of Moray is not mentioned in the letters by the Popes enjoining obedience to York between 1115 and 1125.

It would be rash to say positively that there was not a Bishop of Moray before 1124, but it is permissible to say that there is no good evidence that there was.

p. 30. **Cormac Episcopus.** Cormac, the bishop, is also a witness to the charter by King Alexander to Scon (No. XLIX., ante, p. 44). Bishop Dowden suggests that the absence of the name of his see shows that "at the date of these charters he was a bishop without a see in one of the monasteries of the Celtic foundation."

Cormac, Bishop of Dunkeld, is a witness to two of King David's charters to Dunfermline, No. IV. (ante, p. 63) and No. XXIX. (ante, p. 76); he is named in a charter in the Book of Deer (ante, p. 78), dated the eighth year of David's reign, *i.e.* 1131-32. He must have died shortly afterwards.

Sir Archibald Dunbar says that the bishopric of Dunkeld was founded by Alexander I. on 20th June, 1107, the day on which Turgot was elected Bishop of St. Andrews, but he gives no authority.

The tradition at Dunkeld as recorded by Mylne, a canon of that church in the fifteenth century, was that about the year 1127 King David I. suppressed the Keledei and created a bishop and canons. Sir James Dalrymple, Lord Hailes, and Haddan and Stubbs have accepted Mylne as authority for the statement that David I., and not Alexander, founded the bishopric.

Bishop Dowden's opinion of Mylne's work is that it "is worse than useless for determining the succession of the early bishops of the see. It is careless, confusing, and positive in tone where it ought to have been hesitating and conjectural. It is often demonstrably wrong."

p. 30. **Alexander nepos regis Alexandri.** Sir James Dalrymple (Coll., p. 376): "I cannot certainly describe who 'Alexander nepos regis Alexandri' is, but I take him to be a son of King Duncan, and older than 'Willielmus filius Dunecani nepos regis.' . . . He hath been a person so much had in respect that he is ranked before all the great men consenters to this charter. . . ."

This is almost certainly a forged name.

King Alexander had no nephew called Alexander. Edgar had no son; Duncan's son was William; David I. had an only son, Henry; Matilda, queen of Henry I., had an only son, William; Mary, wife of the Count of Boulogne, had an only son, who died young.

p. 30. **Beth comes.** He is a witness to King Alexander's charter to Scon, No. IV. I venture to think that this is another spurious name. Sir James Dalrymple passes him without remark. Mr. Robertson (Early Kings, I., p. 184) thinks that Beth is an error for Heth, Earl of Moray, who married a daughter of Lulach, and had a son, Angus, Earl of Moray; but Mr. Robertson was surprised to find

Heth concurring with King Alexander, because Heth was "an inveterate opponent of the reigning family."

Skene (Celt. Scot., 3, p. 287) finds no place for an Earl Beth or Heth among the Mormaers or Earls of Moray. Sir Archibald Dunbar has doubts whether Earl Beth was Earl of Angus.

G. E. C., in the Complete Peerage: "Beth was possibly Earl of Moray, though more probably Earl of Fife. He may (not improbably) have acquired some right to the earldom of Moray by marriage with a sister of Maelsnechtan, Mormaer of Moray."

In short, nothing is known of Beth comes.

p. 30. **Gospatric Dolfini**: the scribe omitted 'frater.' He was a man of importance in the south of Scotland in the reign of Alexander I., but he had no interest in the north; and it is difficult to understand why his consent should have been asked or given as to the foundation of a priory at Scon.

p. 30. **Mallus comes**: probably Malise, Earl of Strathern (Sir James Dalrymple, p. 376, 'G. E. C.' voce Strathern, and Robertson, Early Kings, I., p. 184). Malis comes is a witness to several other charters (ante, pp. 43, 63, 77, 85, and 102).

p. 30. **Madach comes**. It is assumed that he is identical with Madeth comes in No. LXXIV., ante, p. 63; with Madoc comes CXXVII., ante, p. 97; with Maduc consul and Madd' comes, witnesses to the two charters of Swinton (C. and CI., ante, pp. 79, 80); and with Madd' Comes, witness to CXLI., ante, p. 108.

To him Sir James Dalrymple (Coll., p. 378) allotted the earldom of Atholl, on the authority of a passage in Torfaeus (Hist. Orcad., lib. I., cap. 22, p. 100): "Elocata Margareta Comitis Haconis filia Maddado Comiti de Atjoklis omnium Scotiae principum facile nobilissimo, patrueli quippe Davidis Scotiae Regis in praesens regnantis; sato patre Melcolmo fratre Regis Melcolmi Davidis patris"; and, cap. 25, p. 109: "Sveinus Asleisis filius, Hæbudis in Scotiam ad amicos salutandos profectus, longo tempore Joclis, alias Atjoclis (alpibus seu montanis) apud Comitem Maddadum, qui Margaretam Comitis Haconis Pauli filiam uxorem duxit, moratus," etc.

Sir James Dalrymple and Lord Hailes (Annals, I., p. 52) are of opinion that Torfaeus was wrong in saying that Melcolm was the father of Maddad, Earl of Atholl, they say he was Donald Bane. Sir Archibald Dunbar calls Maddad's father Melmare, a brother of Donald Bane. Earl Maddad is said by Torfaeus (p. 100) to have married Margaret, daughter of Earl Haco, G. E. C. (Complete Peerage) and others have difficulty in holding that this lady could be the mother of Malcolm, whom they call the second earl, and they make Margaret, Earl Maddad's second wife.

p. 130. **Rothri comes**. Mr. Robertson (Early Kings, I., p. 184) does not know what to make of this Earl; he says he may be assigned to Angus, Mar, or Buchan. Mr. Skene (Celt. Scot., 3, p. 291) gives him the earldom of Mar, identifying him with "Ruadri, Mormaer of Mar." Skene is followed by G. E. C. This is mere conjecture.

p. 30. **Gartnach comes**. He is supposed to be the same as Gartnait, a donor in the Book of Deer (ante, p. 77), described (ante, p. 78) as the son of Cainnech, and as the father of Eva, wife of the Mormaer

of Buchan (p. 84). Garuad comes is a witness, ante, p. 181. Mr. Skene (Celt. Scot., 3, p. 288) states that he was the Earl of Buchan.

p. 30. **Dufagan comes.** Here, I think, the authorities are wrong. Sir James Dalrymple (Collections, p. 38) and Robertson (Early Kings, I., p. 124) say that Dufagan was Earl of Fife, father of Earl Constantine, but Constantine was Earl before the accession of King Alexander. I venture to think that Dufagan is a forged name.

p. 30. **Willelmus frater Reginae.** It is unlikely that the William here mentioned was the legitimate son of Henry I., who was drowned at the age of eighteen, in the year 1120. It is possible that he was William, an illegitimate son of Henry I., who died in 1135; but illegitimate children by different mothers are not usually styled brother and sister. There is no evidence that that William was ever in Scotland. William 'frater Reginae' was a witness to Charter XLIX. (ante, p. 44), which, if genuine, was granted more than two years after the queen's death. I regard the name of this witness as an invention of the writer.

p. 30. **Edwardus Constabularius** was a witness to several of King David's charters. Many of our later writers, E. W. Robertson, Skene, and Dunbar, on the authority of Ordericus Vitalis, state that he was the successful general who in 1130 won the battle of Stracathro, and defeated Angus, Earl of Murray. Orderic stated that Edward was the name of the leader of King David's forces, and that he was the son of Siward, Earl of Mercia, and a cousin of David I. (Ordericus Vitalis, B. VIII., c. XXII., as translated in Skene, Celt. Scot., I., p. 461.)

Shortly after the Norman Conquest a Siward Beorn was a prominent man in the north of England, who accompanied Edgar Atheling and his sisters to Scotland in 1068.

Mr. Robertson (Early Kings, I., p. 189) says that that Siward Beorn was the father of Edward the Constable (but I have not discovered the authority on which he relied). M. Prevost, the learned editor of Ordericus Vitalis (Vol. III., p. 403), expresses dissent from the opinion of M. Stapleton regarding the parentage of Edward the Constable, and when these authorities differ it is probable that the difficulty is considerable. The conjecture that Edward the Constable of this charter is the same as Edward son of Siward, who many years after King Alexander's death witnessed the Foundation Charter of Dunfermline, is very unlikely; Edward, son of Siward, appears low down in the list of witnesses, and was probably not a man of high rank.

Lord Hailes (I., p. 76) said of Ordericus: "He is an historian so ill informed, especially with respect to the affairs of Scotland, that I dare not rely on this evidence. Of . . . Edward, 'the son of Earl Siward,' I know nothing."

p. 30. **Gospatricius son of Walthef** is a witness to a doubtful charter to Scon (No. IV., p. 44), and to the charter CXXI. (p. 93). Waltheof son of Earl Gospatric, and brother of Dolfin, had an illegitimate son called Gospatric, to whom (2 Bain, p. 16) his brother Alan gave lands in Cumberland.

Sir James Dalrymple (Coll., p. 381), with good sense, said, "It is uncertain who this witness was, the names of Walthef and Gospatric being so frequent in these times."

p. 30. **Forn** appears as an assenter, "assensum prebeo"; he poses as a man of rank and influence.

Although I am of the opinion that this Foundation Charter is spurious, I do not doubt that Alexander I. founded a monastery at Scon, and granted charters to it, the substance of which is preserved in the Bull of Pope Alexander III., issued in December, 1164 (Liber de Scon, p. 13, No. 18) and in the charter by King Malcolm IV. in the eleventh year of his reign, 1163-1164 (Lib. de Scon, p. 5, No. 5).

Scon was the seat of the kings of Scotland, and probably from an early time there was a church there. In the Chron. de Mailros, p. 65, under date 1115, it is recorded, in a hand later than the context: "Canonicis tradita est ecclesia de Scon." Fordun, v., 28, says of Alexander I.: "Ditaverit . . . ecclesiam Sconensem . . . in honore. Sanctae Trinitatis et Sancti Michaelis Archangeli in superiore sede regni Scona. . . . Ipse est itaque, qui tot et tanta privilegia praestitit ecclesiae predictae Sanctae Trinitatis de Scona quam fundatam aedificavit loco, quo reges antiquitus tam Scoti quam Picti sedem regni primam constituerunt, dedicari fecit, ad cujus dedicationem, praecepto regis urgente, totum pene regnum concurreret. . . . Ipsam quidem ecclesiam, Deo disponente, cum pertinentiis omnibus, canonicis regularibus, ab ecclesia Sancti Oswaldi de Nostle vocatis et ceteris post eos usque finem seculi Deo servituris libere tradidit gubernandam."

Wyntoun, VII., v., line. 658, says that the king founded Scon soon after the defeat of the northern rebels. A chronicle of the Scots, written between 1482-1500 (Chron. P. and S., p. 38): "And he in the sewynt yere of his rigne foundit Scon ye abbey," *i.e.* 1114-1115.

This is probable, but the monks to whom Scon was given, cannot have been brought from St. Oswald's at Nostell so early as 1115 because St. Oswald's was not then a house of canons regular.

This charter and the Bull of Pope Alexander and the charter of King Malcolm agree in the names of the lands granted by King Alexander to the Priory.

It is curious that Scon itself, the land on which the church and the monastery were built, is not mentioned.

p. 29. **Infervus** was afterwards called Innerbos; it was a land in the parish of Scon which remained in the possession of the monks until the Reformation, when it passed first to Lord Ruthven, and afterwards was feued out in eighteen shares, of which a family of Blair got the greater portion; the eighteen shares probably represented the eighteen remaining monks of the abbey.

p. 29. **Benchorin** is Banchrie, in the parish of Bendochy. The Abbey of Cupar had the church and lands in Bendachty. In 1225 there was a settlement of a dispute by which the Abbey of Cupar took a lease from the Abbey of Scon of the tithes of Benchory, Kinslatin, and Crochin, and they agreed as to the boundaries of these lands and of Kinnochtrie and Fotherins (Lib. de Scon, p. 52). At the Reformation

Benchory was divided, and the Halyburtons of Pitcur, the Mercers of Melginch, Robertson of Hill of Cowie, Dickson, glove-maker in Perth, and Chalmers got portions.

p. 29. **Fotheros, Kynochtred**, are probably Foderance, Kinnochtrie. Fingask afterwards belonged to the Dundas family.

p. 29. **Dufrothni**, said to be Duffertyn, appears in the charter by Malcolm IV., and in the Bull by Pope Alexander, but I have not traced it as being in the possession of the abbey afterwards.

p. 29. **Cleon** was a grange belonging to the canons; they got a charter from Alexander II. to make Cleon a warren, and free forest. At a visitation in 1315 the bishop recommended the abbot to see to the cultivation of the grange of Cleon. (Lib. de Scon, p. 138.)

p. 29. **Liff** is a parish in Forfarshire. It continued to be the property of the abbey till the Reformation.

p. 29. **Grudin** may be Gurdie.

p. 29. **Invergourin** is Invergowrie in Forfarshire. It is said to have been given to Alexander I. by his uncle. Wyntoun, Bk., VII., 5, line 624:

> "In Invergowry a sesowne
> Wyth an honest court he bade,
> For thare a maner-plas he hade,
> And all the land by and by
> Wes hys demyd than halyly."

There are in all 33 ploughgates of land granted; and if each was of the usual size, 104 acres, the Priory got from King Alexander a large estate of 3600 acres. Of course these were not all in demesne; the monks received only a fixed rent and services from permanent owners. In the reign of Malcolm IV. it was arranged that each ploughgate should pay one cow, two pigs, four bags (clavini) of meal, ten thraves of straw, ten hens, 200 eggs, ten handfuls of candles, four 'mumae' of soap, and 20½ melae of cheese.

p. 29. **Quinque mansiones domuum.** 'Mansiones' is here used in a different sense from that of the mansiones of Coldingham. King Malcolm and the Pope call them tofts. It may be inferred that in the reign of Alexander I. Edinburgh, Stirling, Inverkeithing, Perth, and Aberdeen were burghs in which the king held a great part of the land.

p. 29. **Communionem aquae de Thei ut in ea possint piscari sicut ad opus regis.** The writer of the charter perhaps tried to enlarge the abbey's rights. If we can trust the charter of Malcolm IV. and the Bull of the Pope, King Alexander granted, not an equal right with the Crown in all the fishings of the Tay, but only two nets, the one at Kincarrekin and the other at the King's Inch. This charter omits what the charter of Malcolm and the Pope's Bull include, viz., 'a net in the Forth at Stirling.'

p. 30. **Omnes pelles arietinas et agninas . . . Lambremor.** This is so differently expressed from the charter of Malcolm IV. and the Papal Bull that they cannot have been copied from the same original. The Bull probably most accurately represents what Alexander gave.

p. 30. **A northo de Lambremor.** This slip on the part of the writer stamps this part of the charter as the production of at least two centuries after King Alexander died.

XXXVII.

Eadmer's Historia Nov. Angliae, Lib. v., Selden's edition, p. 130; Rolls' edition, p. 279; 2 Concil., p. 196.

The Archbishop of Canterbury had been abroad since the autumn of 1116. He returned on 4 January, 1120, and King Alexander at once sent this letter by the hands of "quidam honorati et strenui viri scilicet monachus et prior ecclesiae Dunifermelinae, Petrus nomine, clerici duo et unus miles."

The king congratulates the archbishop on his return, and, reminding him that the church of St. Andrews had long been destitute of pastoral care, he begs that the archbishop will allow Eadmer, a monk whom many had praised, to be enthroned as bishop. The king fears lest he has grievously offended the Pope by allowing the bishopric of St. Andrews to remain so long vacant. He relies on the archbishop's advice, reminding him of their old friendship, and that he had been spiritually adopted by the archbishop as his son.

Fordun says that Eadmer was elected to St. Andrews in 1117, but that is a mistake. Haddan and Stubbs (2 Concil., 197) suggest that negotiations may have been going on between 1115 and 1120, although Eadmer says: "Nec per se nec per quemlibet hominum unquam de ipso negotio aliquo modo apud quemquam egisse."

On receiving this letter from King Alexander the archbishop wrote to King Henry I., requesting that permission be given to Eadmer to go to Scotland and be consecrated Bishop of St. Andrews (ed. Selden, p. 131; W., I., 394, 395; 2 Concil., 197). The king assented (2 Concil., p. 198): "Volo et concedo, ut monachum illum, unde Rex Scotiae te requisivit, liberum ei concedas ad consuetudinem terrae suae in Episcopatu S. Andreae." Whereupon Eadmer was sent, taking with him letter No. XXXVIII. by the Archbishop to King Alexander.

XXXVIII.

Eadmer, Hist. Nov., Rolls' edition, p. 281; 2 Concil., p. 198. "Eadmer is sent according to your request; send him back as soon as possible to be consecrated."

Eadmer described his reception and election: "Veniens itaque frater ipse in Scotiam, mox tertio die adventus sui, illo qui fuit dies festivitatis gloriosissimorum Apostolorum Petri et Pauli, suscepit, eligente eum clero et populo terrae, et concedente Rege, pontificatum Sancti Andreae Apostoli Chenrimuntensis. Quae res ita disponente Deo acta est, ut nec virga pastorali vel anulo a Rege investitus fuerit, nec hominium ei fecerit. Laetus itaque dies habitus est, atque in laudem Dei alacriter expensus. In crastino autem Rex, cum electo de consecratione illius secretius agens, et modis omnibus eum a pontifice Eboracensi consecrari exhorrens, ubi, eo docente, accepit auctoritatem ecclesiae Cantuariensis ex antiquo toti Brittaniae praeminere, et iccirco ipso disponente, se Cantuariae episcopalem benedictionem velle requirere, conturbatus animo surgens discessit ab eo. Nolebat enim ecclesiam Cantuariensem anteferri Ecclesiae S. Andreae de Scotia. Vocans itaque Willelmum monachum Sancti Edmundi, qui post Thurgodum eidem episcopatui praepositus, pene illum evacuaverat, praecepit ut more solito in episcopatu se haberet, exspoliato noviter investito. Expleto autem post haec mense integro, et his quae supererant jam terris episcopatus funditus evacuatis, pro voto principum regni Rex Alexander ipsum electum convenit, vixque ab eo obtinuit ut quia super inimicos suos exercitum ducere disponebat, virgam pastoralem de super altare, quasi de manu Domini, susciperet, ut ita in toto regno curae animarum omnium pro posse deinceps intenderet. Post haec ad ecclesiam S. Andreae venit, et occurrente ei Regina, susceptus a scholasticis et plebe, pontificis loco successit."

Eadmer remained in Scotland for some months. Thurstan, Archbishop of York, induced Henry I. to order Ralph, Archbishop of Canterbury, not to consecrate Eadmer, and King Henry wrote three letters to King Alexander to the same effect (2 Concil., p. 200), which have not been preserved.

Eadmer said that he desired to go to Canterbury for consecration, but King Alexander insisted that he (Eadmer) was "penitus absolutum ab ecclesia Cantuariensi . . . se que in vita sua consensum non praebiturum ut episcopus Scotiae subderetur pontifici Cantuariorum."

Eadmer consulted John, Bishop of Glasgow, and two Canterbury monks of his own company, who advised him that he must either adopt the 'usus Scottorum' or resign, and that, if he chose the latter course, he must return the ring which he had received from the king and the pastoral staff which he had taken from the altar.

Eadmer returned the ring to the king and the staff to the altar; he declared that he resigned the bishopric, "quia vis mihi infertur adquiesco ut eum tempore Alexandri Regis non reclamem nisi pontifex et conventus (Cantuariorum) Rex Anglorum aliud mihi

super his consilium dederint," and returned to Canterbury. The king's account of what happened is given in XXXIX.

p. 33. **Valete.** The letter in the Rolls' edition ends: "Omnipotens Deus vos et conjugem vestram custodiat et ab omni malo defendat, Amen."

XXXIX.

Selden's edition of Eadmer's Hist. Nov., v., p. 134; Rolls' edition, p. 286; Warton, I., 395, 396; and 2 Concil., p. 200.

This was written in 1120. King Alexander informs the Archbishop of Canterbury that Eadmer would not comply with the customs of the Scots, that he insisted on resigning the see, and had returned to England.

p. 33. **Consuetudinibus . . . hominum.** The King does not state what were the customs with which Eadmer would not comply. Eadmer himself afterwards said that one difficulty was, that he desired to be consecrated by the Archbishop of Canterbury, whereas the King of Scotland said that he must be consecrated in Scotland by Scottish bishops, while the Pope ordered that he should be consecrated by the Archbishop of York as Metropolitan. Another difficulty stated by Eadmer was that he had been deprived of property belonging to the see, and that the King's friends virtually forced him to resign.

p. 33. **In praesentia quorundam episcoporum.** The King states that the formal resignation had been made at a Council attended by several bishops and earls and "probi homines" of the country, that they took part in the proceedings, and that the King acted on their advice. The archbishop, after hearing Eadmer, wrote to Alexander the letter No. XL.

XL.

Selden's edition, Eadmer, Hist. Nov., Lib. v., p. 134; Rolls' edition, p. 287; 2 Concil., 201.

"Your letter (No. XXXIX.) and Eadmer's statements do not agree. We will discuss the matter when you come to England.

The archbishop does not express doubt as to the legality of Eadmer's resignation of the bishopric. Afterwards in the same year (1120) Eadmer was advised, probably by Nicolas, Prior of Worcester (2 Concil., 202), to be consecrated by the Pope. "Dissolve litigium de te Cantiae et Eboracae, principumque Angliae Scotiaeque: et favore Regis Scottorum Apostolicum sacrandus expete."

XLI.

Selden's edition (pp. 139, 140) of Eadmer, Hist. Nov., VI. ; Rolls' edition, p. 299 ; W., I., 404, 405 ; 2 Concil., 206.

Eadmer wrote this letter to the king about a year and a half after his return to Canterbury, but before 19th September, 1122, when Archbishop Ralph died. He thanks King Alexander for his kindness to him from the time the king chose him to be bishop. If they could meet, he would tell the king in secret what he had learnt since he resigned the bishopric. He assures the king of his loyalty to him, and of his zeal for the honour of the country. He says that those who have heard "qualiter electus, susceptus, et pontificatu saisitus et loco pontificis substititus fui," assure him that he cannot resign the bishopric, nor can any be substituted for him so long as he lives. He ascribes his former resignation to the "perpes discordia" and "interminabiles inimicitiae" shown to him on the king's side by those "quos vobis familiares esse sciebam" and also to the king having twice illegally deprived him of property belonging to the see.

But Eadmer says that he desires to return to St. Andrews. He will do so with loyalty to the king and to the see, and he will make concessions with regard to the King of England, to the Archbishop of Canterbury, and to consecration. As he cannot explain himself fully in a letter, he desires exceedingly to speak to the king in private.

At the same time Archbishop Ralph wrote to King Alexander letter No. XLII.

p. 37. **Qua me bis rebus.** The Rolls' edition has "his rebus."

XLII.

Selden's edition (p. 140) Eadmer, Hist. Nov., VI. ; Rolls' edition, p. 301 ; W., I., 405 ; 2 Concil., 208.

Written in 1122, before the Archbishop had heard of the death of Queen Sybilla, who died on 12th June of that year. The archbishop recommends the king to invite Eadmer to return to St. Andrews, the king had canonically elected him to be bishop, he had been sent to Scotland, he was wedded to his see and could not be divorced, so long as he lived he must be Bishop of St. Andrews.

p. 39. **Domina regina uxore vestra.** She was Sibylla, an illegitimate daughter of King Henry I. of England.

It does not appear that King Alexander replied to these letters from Eadmer and the Archbishop. The controversy was soon to be closed by death. The Archbishop died 19th September, 1122 ; Eadmer died 13th January, 1123 ; and the King 23rd April, 1124.

XLIII.

Reg. Alb. Ebor., P. I., fol. 51, and III., fol. 57 ; Warton, I., 481 ; Dugdale, Monast., VI., pp. 1187, 1188 ; 2 Concil., p. 205.

This, and the next two letters from the Pope, refer to the question whether the Scottish Bishops were suffragans of the Archbishop of York. The claim of York had been denied.

On 20 Nov., 1119, Pope Calixtus II. wrote to the Scottish Bishops a letter preserved in Reg. Alb. Ebor., I., 50 b (printed 2 Concil., p. 192), commanding them to render canonical obedience to the Archbishop of York, and on the same day the Pope addressed a letter to the Bishops of Durham, the Orkneys, and Glasgow, ordering them to obey the Archbishop of York as their metropolitan. (Reg. Alb. Ebor., P. I., fol. 51. Printed in Dugdale's Monast., VI., 1187, and 2 Concil., p. 192.)

From the terms of that letter it seems that the Bishops of Glasgow and of the Orkneys were then the only Bishops in Scotland.

In 1119 Ralph, Archbishop of Canterbury, wrote to the Pope asserting that the Bishops of Scotland were subject to Canterbury. (The latter is printed in 2 Concil., p. 193, from W., I., 398, 399, 400, 402, from MS. Cott. Domitian A. v. 2 ; Twysden, 1735-1748.)

On 15 January, 1122, Pope Calixtus wrote this letter (No. XLIII.) to King Alexander I., complaining that he had received no answer to his previous letters, and commanding him to refuse to permit his Bishops to be consecrated unless by license from the metropolitan, the Archbishop of York. On the same day Pope Calixtus wrote : "Dilectis in Christo fratribus universis per Scotiam episcopis Ebor. ecclesiae suffraganeis" (Reg. Alb. Ebor., I., 51 b, MS. Cott. Cleop. C., IV.; W., I., 481 ; 2 Concil., p. 205), ordering them to render reverence and obedience to the Archbishop of York.

XLIV.

Reg. Alb. Ebor., P. I., fol. 51 ; Dugdale, VI., p. 1188 ; 2 Concil., p. 20.

This letter to John, Bishop of Glasgow, is dated on the same day as No. XLIII. to the King : "At the request of the Church of York you were consecrated bishop by our predecessor, Pope Paschal. You ought to have humbly acknowledged this, but you were puffed (so we have heard) with such pride that you would neither profess to your metropolitan, the Archbishop of York, nor obey our order. Know that

we can endure no longer the pertinacious continuance of this contempt. We repeat the order. Be not an ungrateful son; profess obedience to our venerable brother, Thurstan, your metropolitan. We confirm the sentence which he has justly pronounced against you."

XLV.

Cott. MSS. Claud. B. III., fol. 131 a; Reg. Alb. Ebor., P. I., fol. 51, and P. III., fol. 57; Dugdale, VI., 1187 (bis); 2 Concil., p. 22.

Bishop John disregarded the command of the Pope, conveyed to him by the letter XLIV., and on 26th August, 1122, the Pope wrote this letter, XLV., "Obey the Archbishop of York within 30 days." Bishop John still refused to obey, having been suspended, he left his diocese and went to Rome. (Simeon of Durham, Hist. Reg. Angl., ann. 1122; Twysden, 245.)

XLVI.

In the Register of the Bishopric of Glasgow, Maitland Club edition, p. 8, No. 2.

This was granted towards the end of King Alexander's reign, probably after the return of Bishop John from Jerusalem in 1123. It is a grant by Earl David of a hundred shillings annually from the rents of Hardingestrorna for the building and restoration of the church of Glasgow.

p. 41. **David Comes**: Earl of Northampton, jure uxoris.

p. 42. **Hardingestrorna**, now called Hardingstone St. Edmund, a parish 2½ miles from the town of Northampton, within David's earldom. The Earl had lands in demesne in Hardingestrorna, and from the rents of these he ordered this payment of 100s. He had granted several acres there "in dominio" to the Abbey of Selkirk (ante, p. 27).

p. 42. **Ecclesia**. This was the church which was consecrated in 1136, of which no part now remains.

p. 42. **Testibus**: **Robert, son of Nigel**, occurs also on p. 58, possibly he is the same as Robert son of Ingell on p. 47; Roger son of Nigel is mentioned on p. 51.

p. 42. **Hugo Bret**, variously spelt le Bret and Britton, was a witness also to charters, pp. 55, 69, 73, 85, 86, 92, 96, 101, 108, and 110.

p. 42. **Walter son of Winemarus**. He was of a Northamptonshire family. His name occurs as a witness, ante, p. 47.

XLVII.

In the recent Chartulary of Scon, printed in the Liber de Scon, Maitland Club edition, p. 3, No. 2.

I am not sure that this is genuine, it is not engrossed in the older Chartulary.

King Alexander grants to the Church of the Holy Trinity at Scon, the island of Loch Tay in honour of God, of the Virgin, and of All Saints, in order that a church may be built there for the King and for the soul of the late Queen Sibylla, the King intends to increase the gift, so that the place may be more worthy of the service of God.

This gift was confirmed by Malcolm IV., by Pope Alexander III., A.D. 1164, and by Pope Honorius III., A.D. 1226. These confirmations do not mention the name of Queen Sibylla, the island of Loch Tay is not referred to in the Liber de Scon later than 1226.

p. 42. **Queen Sibylla.** Wyntoun says she was the daughter of William the Conqueror, but that is an error. She was an illegitimate daughter of Henry I. of England. Simeon of Durham, Hist. Reg. Angl.: "Sybilla regina Scottorum filia Henrici regis." Ordericus Vitalis: "Filia Henrici Regis Anglorum." (Prevost's edition, Vol. III., p. 400.)

This was doubted by Freeman (Norman Conquest, v., p. 848), because Sibylla's name is not in the list of King Henry's thirteen illegitimate children given by Robert de Monte (VIII., 29), the continuator of the history of William of Jumieges.

There is no record of the marriage of King Alexander and Sibylla, the date is not known. It may have been unattended with state ceremony or recognition. Ordericus Vitalis says (Vol. III., p. 400): "Ex concubina uxorem duxit."

Hailes' Annals, I., p. 71, quotes William of Malmesbury (v., 400): "Alexandrum, Henricus affinitate detinuit, data ei in conjugem filia notha, de qua ille viva nec sobolem, quod sciam, tulit, nec ante se mortuam multum suspiravit, defuerat enim feminae, ut fertur, quod desideraretur vel in morum modestia vel in corporis elegantia."

She granted to the Abbey of Dunfermline 'Beeth,' a valuable property in Fifeshire, which remained in the possession of the abbey till the Reformation. Simeon of Durham says that she died suddenly, and this charter states that she died on the island of Loch Tay; possibly she was drowned. The date of her death was 12 June, 1122. She had no children.

p. 42. **Insula de Lochtei.** Near the eastern end of Loch Tay, 200 yards from the north shore, is a small wooded island about 400 yards in circumference, on which are some ruins. **ut ecclesia Dei,** etc. In the account of the religious houses in Scotland Keith says: "Loch Tay . . . was a cell or priory belonging to Scone, founded by King Alexander in the year 1122. . . . The most part of the buildings of this monastery are still extant."

I doubt whether either of these statements be correct. King Alexander did not make the "aliud augmentum unde locus in Dei obsequium exaltetur," nor (as far as I know) is there any contemporary record of a priory on the island. Still the story that a priory was built has been generally accepted.

Sir Walter Scott, in "The Fair Maid of Perth," described the burial of the Chief of Clan Quhele on the island in 1398. "The building rose into the towers and pinnacles of a priory where slumbered the remains of Sibilla, daughter of Henry I. of England, and consort of Alexander I. of Scotland." He added in a note: "The priory of Loch Tay was founded by Alexander I. and the care of it committed to the small body of monks; but the last residents on it were three nuns, who, when they did emerge into society, seemed determined to enjoy it in its most complicated and noisy state, for they came out only once a year, and that to a market at Kenmore, hence that fair is still called Fiell na m'han maomb or Holy woman's market."

Hume Brown, I., p. 70, speaks of "an Augustinian priory on an island of Loch Tay." These statements are supported by the retour of James, Earl of Annandale, 18 May, 1642, in which is included "terras, castra etc. ad temporalitatem, patrimonium et proprietatem prioratus de Loch Tay ab antiquo pertinentia."

As early as the middle of the fifteenth century the island was the residence of the Campbells of Glenurchy; the first laird built the enclosing walls (M'Gibbon and Ross, v., p. 556), and Sir Duncan Campbell, the second laird, who fell at Flodden, 1513, "biggit the great hall, chapel and chambers of the Isle of Loch Tay" (Black Book of Taymouth). In 1646 an act of Parliament was passed giving warrant for maintaining a garrison of 40 men kept on the island of Loch Tay for 14 months by Campbell of Glenurchy; the island was then one of the places of retreat of the Marquis of Argyll's regiment.

p. 42. **Herbert the chancellor.** This is the earliest mention of a chancellor in Scotland. It is stated in many books that Herbert the chancellor and Herbert the abbot of Kelso were the same persons, but that is incorrect. Herbert the abbot and Herbert the chancellor were different men; they were witnesses together in King David's charter of Govan to Glasgow (ante, No. CIV., p. 82). Herbert was chancellor until his death about 1135, while Herbert the abbot became Bishop of Glasgow in 1147.

XLVIII.

From the recent Chartulary of Scon. Maitland Club edition, p. 3, No. 3.

King Alexander, addressing all the merchants of England, announces that he has granted in alms to the priory of the church of the Holy Trinity at Scon the can and customs of a ship, and he orders that all merchants dwelling beyond Scotland who desire to bring that ship with its cargo up to Scon shall have the peace of God and of the king

in coming and going, and that they shall be liable in customs to no one except to the Prior and the brethren.

If this charter be genuine, it was granted during the last four months of King Alexander's life, after the election of Bishop Robert and before the king's death in May, 1124, but I doubt whether it was granted by King Alexander I. It is in substance identical with a charter by William the Lion, of which the original is preserved, and which is recorded in the older Chartulary (Liber de Scon, p. 21, No. 29). However, there is evidence that King Alexander I. did grant a similar privilege. Pope Alexander III. reciting King Alexander's grant says that it gave "canum et consuetudines unius navis singulis annis," and in the Bull of Honorius III. (Liber de Scon, p. 67) the words are "Canum et consuetudines unius navis in burgo de Perth."

p. 43. **Can et consuetudines unius navis.** The king had right to exact payment or custom from trading ships, and this is a renunciation as regards one ship consigned to the priory of Scon.

The word 'can' was used not only for a duty on land produce, but also for duties on ship-borne merchandise.

David I. granted to the Priory of Dunfermline the can of one ship "ubicunque in regno meo applicuerit" (Reg. Dunf., No. I., p. 4), and "omnes rectitudines de omnibus navibus quae in portu de Inveresc applicuverint" (p. 11, No. XIII.), by charter (No. XIV., p. 12) he declared the ship of the Abbot of Dunfermline and all its cargo free "de omni consuetudine mihi pertinenti." To the canons of Cambuskenneth King David granted the can of one ship (Bull of Pope Eugenius, No. CLXXX.), which Malcolm IV. commuted for an annual payment of fifty shillings. King David granted 100s. per annum to Holyrood from the can levied on ships trading to Perth.

By charter No. CXVI., ante, p. 89, King David granted to the Church and Bishop of Aberdeen a tithe of the can of ships going to Aberdeen. The same king granted to the Priory of St. Andrews 40s. from his can of the ships at Perth (CLXIII., ante, p. 128, and No. CCL., p. 201).

The amount of the can varied. In a fragment (1 vol. of the Acts of Parliament, p. 725) it is said: "Thar is aucht for a last of wol for canage xviij pennies, qwhar it aucht to be gyfyn as at Berwyk on Twede. And thar is aucht for the canage of a last of hydys xij pennies, of last of crouf j pennies." This is in the "law and custume of schippis," in the Bute MSS., which (Preface, p. 181, VII.) may be ascribed to the reign of Robert II. By that time the exaction of a part of a ship's cargo had been converted into money payments. In the earlier days of Kings Alexander I. and David, delivery in kind was exacted.

p. 43. **Ascendere atque in Sconam venire voluerint.** Robertson (Early Kings, I., p. 443) said that Scon "was probably the port to which foreign traders brought their wares in the days of Malcolm and Margaret," but then, as now, the river Tay can have been navigable above Perth only by very small boats.

p. 43. **Robert, bishop elect.** Eadmer died on 13 January, 1123. King Alexander died on 23rd April, 1124. Simeon of Durham, Hist. Reg. Angl. ann. 1124 and Chronica de Melros, p. 68: "Ipso autem anno Alexander, quatuor ante suam mortem mensibus in episcopatum ecclesiae Sancti Andreae quae in Scotia est fecit elegi Rodbertum Priorem Canonicorum Regularium apud Sconam." Allowing a few days for the news of Eadmer's death at Canterbury to reach the king, barely three months elapsed between Eadmer's death and the King's. Keith (p. 6) says that Robert, Prior of Scon, was an Englishman who had been a canon of St. Oswald's at Nostell. I do not know that he had any authority for that statement. Robert was consecrated in 1127 by Thurstan, Archbishop of York, "sine professione salva utriusque ecclesiae dignitate." He liberally endowed the priory of St. Andrews and assisted to found the burgh. He granted charters to the monasteries of Holyrood (ante, pp. 67, 74, 165), of Dunfermline (ante, pp. 184, 205), of Kelso (ante, pp. 68, 148), of Coldingham (pp. 59, 173, 174), of Dryburgh (pp. 172, 195), and to the bishopric of Glasgow (p. 185).

Three nephews of his are mentioned in the charters: Radulf, Roger, miles, and John. He had a dapifer, a chamberlain, and many chaplains. He was often with King David and witnessed charters at Dunfermline, Scon, Stirling, Haddington, Perth, Chinros, and Berwick. He seems to have been a reasonable, liberal, hard-working man, "bonae memoriae," said the chronicles of Holyrood and Melrose. He died in 1159, after an episcopate of 35 years.

XLIX.

In the recent Chartulary of Scon: Maitland Club edition, p. 4, No. 4. I am not sure that this is a genuine charter, if genuine it was granted between January, 1123, and April, 1124; I suspect that it is really a charter by King Malcolm IV., who gave to the priory of Scon (Liber de Scon, No. 9, p. 9) the right "curiam suam habendam in duello in ferro in aqua cum omnibus libertatibus ad curiam religiosorum juste pertinentibus cum libertate nulli respondendi extra curiam suam propriam," and in the charter confirming King Alexander's foundation "curia cum duello ferro et aqua cum omnibus libertatibus aliis ad curiam pertinentibus cum libertate nemini respondendi extra curiam suam." King William the Lion (Scon, p. 22, No. 31) confirmed the jurisdiction, "sicut carta Regis Malcolmi fratris mei testatur." Pope Alexander III. makes no mention of this when confirming the grants of King Alexander I.

In a charter of the reign of William the Lion mention is made of the island "qua solet fieri duellum de Scon" (Lib. de Scon, p. 36, No. 56).

The recognition of the right of religious houses to order or to permit judicial combat is not common in Scottish chartularies.

It is conferred by the great charter to Holyrood. "Examen duellii aquae et ferri calidi quantum ad ecclesiasticam dignitatem pertinet" (Holyrood Charters, p. 3, No. 1.).

This charter seems to me to mean that the Priors' court of Scon was to have the same rights as the higher secular courts. There are so few records of the early proceedings of courts in Scotland that it is difficult to say to what extent the wager of battle was practised. Among the ancient Irish the battle ordeal undoubtedly existed (Lea, Superstition and Force, p. 92), but Mr. Skene makes no allusion to it in his exhaustive History of Celtic Scotland, so I conclude that he found no reference to the subject in the Celtic records.

The duellum was unknown to the Anglo-Saxons (Pollock and Maitland, History of English Law, Vol. 1., p. 28). Lea (p. 96) says: "Judicial combat is not referred to in any of the Anglo-Saxon or Anglo-Danish codes. There seems, indeed, no reason to doubt that its introduction into English jurisprudence only dates from the time of William the Conqueror."

An Abbots' court had jurisdiction in all disputes between occupiers of the church lands. In civil cases relating, say, to the ownership or possession of land, or to debt or contract, if the amount were sufficient and where evidence was not procurable, each of the parties had right to challenge the other to the duellum, and either (if physically weak) could appear by a champion.

It is probable that the judge had the power of deciding whether the wager of battle should be permitted, and perhaps this grant and the 'examen duellii' of Holyrood meant that the Abbots' court had jurisdiction to allow or to refuse it.

But while it is uncertain to what extent battle was practised in the courts of Scotland, there is enough, both in record and in legislation, to show that it was not infrequent.

It appears from some ancient Scottish laws that it was the duty of the court in certain criminal cases to allow the accused an option between trial by combat and trial by compurgation. By Ass. Dav. I., c. 2, it was provided that a man accused of theft was to have the option of battle or of compurgation by twelve leal men: "Any one denying an accusation of theft has the choice of assize or battle: if he choose battle he must find pledges to the complainer, and if he has no pledges he must submit to an assize" (Quon. Att., c. 8, 1., 649).

I doubt whether the ordinary thief or murderer was listened to if he demanded a duellum, although in theory he had the right to claim it. I suppose the judge had a discretion to allow or to refuse it.

p. 43. **In ferro** was the ordeal of treading on or of holding a red-hot iron (Lea, Superstition and Force, p. 230, *et seq.*). **Fossa** was the ordeal or 'judicium aquae frigidae.' The accused was lowered into water; if he sank he was innocent; if he did not sink he was guilty, the basis of the ordeal being the belief that pure water could not receive a perjurer. The right here conferred was the right of ordering an accused person to undergo the ordeal in connection with causes coming before the Priors' court; it was different from the *fossa et furca* (power of life and death) possessed in later times by baronial courts. The ordeals of ferrum and fossa were abolished by the statute of Alexander II., 1230, c. 6 (Acts of Parl. of Scot., vol. I., p. 400).

p. 44. **Testibus.** All the witnesses here except Robert, Bishop elect of St. Andrews, and Herbert, the chancellor, are mentioned in the note to the Foundation Charter of Scone, XXXVI.

L.

The Registrum Vetus of the Bishopric of Glasgow is "an octavo volume of vellum. . . . The ancient part of the register consists of 67 leaves, the early portion of which is written in a hand of the twelfth, and no part of it much later in date than the middle of the thirteenth century" (Pref. Reg. Epis. Glas., pp. x and xi).

This notitia is on the 21st folio. It is followed by a charter of date probably A.D. 1152. On the 67th folio are several charters dated circa A.D. 1250; thus this document is in a volume compiled 150 years after the reign of Alexander I.

As an introduction to the Registrum the compiler gives a short history of the see of Glasgow from the time of St. Kentigern until the return of Bishop John from Jerusalem, and at the end of his narrative, he gives an account of an Inquisitio ordered by Earl David as to the lands which of old had belonged to the church of Glasgow, in each of the provinces of Cumbria.

The editor of the Maitland Club edition gave the introductory history a title which the writer gave to the latter part only. This transposition of the title appears to me to ascribe to the notitia as a whole, a meaning which does not truly belong to it.

The writer did not quote the actual words of the Inquisitio. If he had the record before him, he gave only a somewhat careless summary of its contents. He added a list of witnesses, "Hujus rei . . . audientes et videntes," which it is probable he himself made, introducing the names of the leading personages who were associated with David when Earl. There was no grant made nor act done by the Earl which witnesses could attest.

The document is interesting, but undue value has been attributed to it.

p. 44. **In Cumbria itaque, regione quadam inter Angliam et Scotiam sita.** This refers to the old times before St. Kentigern's episcopate, and the use of the word Cumbria is an anachronism. It is certain that the south-west of Scotland was not then called Cumbria, nor its inhabitants Cumbrenses.

Mr. Skene, in a note contributed to Bishop Forbes' Lives of St. Ninian and St. Kentigern, says: "The terms Cumbria and Cumbri are not applied to any part of the territories and people of Britain by any writer prior to the eleventh century."

Bede terms the people Britones. Gildas knows nothing of Cumbria and Cumbri. To Nennius they were equally unknown, though he refers to their kings by name. Adamnan calls Rhydderch Hael a king 'qui in Petra Cloithe regnavit,' but knows nothing of Cumbri or Cumbria. The Irish Annals term the kings who reigned during the whole of the eighth century Reges Alocluaithe, but have no term to express the district they reigned over (Lives of St. Ninian and St. Kentigern, Forbes' edition, p. 331).

p. 44. **Proceres regni,** etc. Jocelin in the Life of St. Kentigern (c. 40): "By divine prompting the king and the clergy of the Cambrian region with other Christians, albeit they were few in number, came together, and after taking into consideration what was to be done to restore the good estate of the church, which was well nigh destroyed . . . approached St. Kentigern and elected him in spite of his remonstrances and strong resistance to be the shepherd and bishop of their souls . . . they enthroned him, and having called one bishop of Ireland after the manner of the Britons and Scots of that period, they caused him to be consecrated Bishop . . . St. Kentigern . . . established his cathedral seat in a town called Glesgu which is interpreted, the Dear Family" (Life of St. Kentigern, chapter XI., Forbes' edition, pp. 54, 55).

There are two Memoirs of St. Kentigern: (1) By an unknown author who wrote at the instance of Herbert, Bishop of Glasgow (1147-1159 — printed by Mr. Cosmo Innes, Reg. Epis. Glas., Vol. I., pp. lxxviiii; lxxxvi; (2) By Jocelinus, a monk of Furness, circa 1185, dedicated to Josceline, bishop of Glasgow—printed by Capgrave, Nova Legenda Angl., fol. ccvii and ccxii; by Pinkerton, Vitae Antiquae Sanctorum Scotiae; and by Bishop Forbes and in Acta Sanct. Jan., p. 815. It is impossible to separate what is true and what is false, what is myth and what is history, in these memoirs. It is probable that Kentigern was born between A.D. 518 and 530 and that he died about A.D. 603, for the next 500 years the history of the church of Glasgow is really unknown.

p. 45. **Alexandro . . . in Scotia regnante, misit eis Deus David . . . in principem et ducem.** I have already discussed the question as to the rights of Earl David in the south of Scotland during the reign of Alexander I.

p. 45. **Johannem quemdam religiosum virum.** The writer implies that Earl David revived the bishopric and immediately appointed John; but there is evidence that a previous bishop, Michael, was consecrated Bishop of Glasgow at York between 1109-1114. "Possibly or probably an early death precluded Bishop Michael from coming to Glasgow as

bishop. He died and was buried at Morland in Westmoreland" (Haddan and Stubbs, 2 Concil., p. 14).

p. 46. **Inquisitio per David principem**, etc. These words are written on the margin opposite the words "David vero," etc.

p. 46. **Singulis Cumbriae provinciis.** None of the lands afterwards mentioned lay south of the Solway, and the limitation "quae sub dominio et potestate ejus erant (non vero toti Cumbrensi regioni dominabatur)" must refer to the Earl's lordships north of the Solway, because we know that at least as early as the time of William Rufus, Cumberland was part of England, in that reign Ranulf Meschin was Lord of Cumberland and strengthened the borders against the Scots.

p. 46. **Inquirere fecit . . . subscribuntur.** He probably issued a brieve; the names of those to whom it was addressed have not been recorded.

The names of the lands have been carefully scrutinised by Mr. J. T. T. Brown in "The Earliest Document relating to Glasgow."

p. 46. **Carcleuien**: "Cardowan, near Glasgow, in the Barony parish. The ancient clerk read the letter 'd' as 'cl,' a very common error of charter copyists" (Brown). There is a land Cardowan within the Barony which may have belonged to the church, but the name does not appear in the register of the bishopric. **Camcar**: "'Caddar.' The scribe blundered in transcribing 'dd'" (Brown). I doubt whether Camcar can be Cadder, because Cadder (a parish four miles north of Glasgow) was granted to the see by Malcolm IV. **Camcachecheyn.** "This is Camlachie. The slight change of the letter 'c' to an 'l' restores the word to Camlatheteyn" (Brown). There is no mention in the Register of Camlachie, which I suspect is a modern corruption of an old name. **Lengartheyn.** Mr. Brown suggested that this is Garnkirk in the parish of Cadder. He says: "It is resolved from Llan a kirk and Gartheyn a garden . . . Garnkirk belonged to the see and was only secularized in 1587 by charter of the Commendator of Glasgow to John Stirling." Neither Lengartheyn nor Garnkirk are mentioned in the Register. Lengartheyn, in my opinion, has not been identified. **Pathelanerch.** "This is Barlanark" (Brown). Barlanark certainly belonged to the church and lay within the Barony; in later times it was a prebend of the Cathedral. Bishop Forbes (Lives of St. Ninian and St. Kentigern, p. 370, note) suggested that Pathelanerch is Partick.

Cunclut: "a croft now part of Glasgow Green, situate near the Clyde, between the lands of Milndam on the N.E. and Peitbog on the S.W. It came to be known as Kinclaith" (Brown). It is puzzling to find it stated that Conclut was church land in the reign of Alexander I., because it was granted to the see of Glasgow by King Malcolm IV. (1153-1164), in terms which imply that the king was giving a land which the church had not previously owned. He gave it "pro salute mei et pro salute animarum Comitis Henrici patris mei et Regis David avi mei et omnium aliorum antecessorum meorum et pro remissione et absolutione mihi et eis habenda a predicta ecclesia de omnibus transgressionibus quas ego et

ipsi in predictam ecclesiam et in ejus pastores et ministros gessimus : si in aliquo erga eos transgressionem fecimus et nominatim pro terris quas ego baronibus et militibus meis dedi usque ad diem qua baculum peregrinationis Sancti Jacobi suscepi" (Reg. Epis., Glas., No. 15, p. 16). **Chefcarnenuat.** "I am not satisfied that Carnwath in the Upper Ward is meant. . . . I incline to look for the name in Cadder, Monkland, or the Barony parish" (Brown). **Carnethyn**: "Carntyne in the Barony" (Brown). Carnedin is included in the Bull of Pope Urban III. (Reg. Epis. Glas., p. 55). **Caruil**: "Carmyle in old Monkland parish . . . spelt Kermil and Kermyl in the Registrum, and in the Rental Book Carmyl, Carmile, and Carmyill" (Brown). Carmyle was the property of the bishop and chapter, Bishop Herbert gave it to the Abbey of Newbattle. **Quendal**: "(Gwendall), now Wandell, a part of Lamington, in Lanarkshire." There is no mention of Quendal in the Register subsequent to this "Inquisitio." Orig. Paroch. Scot., 172: "It does not appear that the successors of St. Kentigern held any right in the parochial benefice or its advowson, which seem rather to have belonged to the lord of the manor of Hertesheuede. The parochial territory from an early period was divided into two portions; the smaller, known as Quendal, . . . continued in the possession of the bishopric until 1484." (Act. Dom. Con., p. 102.) **Abercarf**: "an ancient name of a small property at the confluence of the Polntarf (now the Tarth) with the Lyne in Newlands parish, Peebleshire. It early passed to the Church of St. Mary of Kelso, and was probably included in the confirmations by Bishop Jocelyn, 1195-99" (Brown). I do not find authority for this. Abercarf is not mentioned in the Chartulary of Kelso, and so far as appears the see of Glasgow did not own land in the parish of Newlands. **Mecheyn**, "spelt Maychan and Mauhan in the Registrum, is now Dalserf parish, Lanarkshire. There is still a small estate called Machan within the parish. In ancient Hamilton charters it is called Machanshire" (Brown). The church did not belong to Glasgow. The chapel, dependent on Cadihou, is mentioned in the Bull of Urban III., 1186 (No. LXII.). The church of Cadzow was not an early possession, it was given to the see by David I. about A.D. 1150. **Planmichel.** Mr. Brown hesitated between Carluke and Carmichael. Planmichel is not mentioned in the Papal Bulls. The editor of Orig. Paroch. Scot., I., p. 150: "Beyond the resemblance of the names there is nothing to identify this place, Planmichel, with the Carmichael of later days."

p. 46. **Stoboc**: Stobo in Peeblesshire, became a meusal barony of the see. Orig. Paroch. Scot., I., p. 196: "The ancient parish of Stobo was of large extent, including . . . the parishes of Lyne, Broughton, Drummelzier, Tweedsmuir, Dawic, and perhaps also Glenholm. This wide district contains all the vale of the Tweed, from its source to the point where, turning eastward, it meets the Lyne, together with the Fruid, Cor, Talla, and some smaller streams." **Penteiacob** is Eddleston in Peeblesshire. "The ancient name was changed in the 12th century to Gillemoreston from the Celtic name of its then owner; and having before 1189 been granted by Richard de Moreville to Edulf, the son of Utred, it was ever after known as Edulfstoun gradually softened to Eddleston . . . " (Brown).

Richard de Morville, the Constable, granted to Edulf, the son of Utred, Gillemoreston, "quae antiquitus vocabatur Peniacob per servitium unius militis," confirmed by Will. de Moreville, the Constable.

Elene, daughter of Alan of Galloway (wife of Roger de Quincy), acknowledged that the villa de Edeluestune belonged to the church of Glasgow, although Alan of Galloway and other predecessors had unjustly detained it. (Reg. Epis. Glas., pp. 138, 139, 140.)

Adam, the son of Edulf, confirmed to Constantine his son, "pro homagio et servitio suo," a certain part of his land in the territory of Eduluistun "quae olim vocabatur Peniacob." There are many other charters relating to the land in the Register. **Alnecrumba**: "now Ancrum in Roxburghshire. It belonged to the see, down to the Reformation. The bishops had a castle there." The barony of Ancrum was created into a free regality, in favour of the Bishop.

Treueronum. "Here the name follows Ancrum without any stop between, looking as if it were a compounded name. In the Registrum, however, it is plain that the names are separate. The place is Tryorne in Roxburgh" (Brown). I am by no means sure that it is Tryorne. I think that the land has not been identified.

Lillescliva, now Lillesleaf, "a village lying between Jedburgh and Selkirk." It adjoins Ancrum and Ashkirk. The Bishops of Glasgow had one part of the lands of Lillesleaf; the Riddells had the other. **Asheschyrc**: Ashkirk in Roxburghshire, which belonged to the see until the Reformation. **Hodelme**: Hoddam in Dumfriesshire. In the Vita Kentigerni, Jocelyn says: 'The holy bishop Kentigern, building churches in Hodelm, ordaining priests and clerics, placed his see there for a certain reason for a time'—the reason probably being that Rydderch's stronghold was then near at hand for protection. **Edyngaham.** Mr. Brown says: "Now Edenham or Ednam"; but he is mistaken. Ednam never belonged to Glasgow. If the see possessed a land with a name like that, it may be in Dumfriesshire. There was an Ednemland "supra territorium burgi de Annand" (Retours, Dumfriesshire, No. 148). **Abermelc.** Mr. Brown said: "An ancient parish in Annandale. It was named from the confluence of the River Milk with the Annan, the church being dedicated to St. Kentigern. It is now in the parish of St. Mungo." **Driuesdale**: a parish of Annandale, Dumfriesshire. Dryfesdale, St. Mungo, and Hoddam adjoin. **Colehtoun** has not been identified. Mr. Brown suggested that it may have been Coldanis, above Castlemilk. **Trevertrold.** Mr. Brown said this was Trailtrow in Cummertrees parish in Dumfriesshire, but neither Trevortrod nor Trailtrow appears in the Register as a land belonging to the bishopric. **Aschebie** may be Esbie, near Hoddam. **Brumescheyed** has not been identified. **Treuergylt.** It has been said that this is probably Torgill, in Dumfriesshire; but there is no reason to think so.

p. 46. **Poblis** is Peebles. The right of Glasgow to the church of Peebles was confirmed by successive Popes. (Reg. Epis., Glas., pp. 23, 30, 43, 50, and 95.) It was assigned to the archdeacon. **Treverquyrd**: Traquair, in Peeblesshire. The church continued the property of the see; the lands and castle belonged to the Crown. **Mereboda**, Morebattle, a village in Roxburghshire, on the Cheviots, 10 miles

from Jedburgh. The church, dedicated to St. Laurence, was in the possession of the bishopric of Glasgow till the Reformation.

p. 46. **Has terras juraverunt.** It may be inferred that these jurors spoke from their personal knowledge, and were practically witnesses in the modern sense. Dr. Prescott seems to be of the opinion that Uchtred, Gille, Leysing, and Oggo were all Cumbrenses judices. I would limit the designation to Leysing and Oggo.

Uchtred son of Waldef appears in no other Scottish document, nor have I discovered his name in the Pipe Rolls or other records of Cumberland.

Gille filius Boed. Dr. Prescott identified him with Gilbertus filius Boet, who is mentioned (A.D. 1155-1157) in a charter by Henry II. as the former owner of the barony of Gilsland, in Cumberland, then granted to Hubert de Vallibus.

In the Foundation Charter of Lanercost (Illust. Doc., XXIII., Wetheral Priory, p. 419), and in a confirmation by Pope Alexander III. in 1181 certain lands are described "per has divisas quas Gille filius Bueth illam melius et plenius in vita sua tenuit," and, again, "Dedi autem eis omnem corticem de merremio meo proprio . . . in boscis meis infra baroniam meam de terra quae fuit Gille filius Bueth."

Except the similarity of name, I am not sure that there is evidence that the juror in the Glasgow Inquisitio was the lord of Gillesland.

Leysing et Oggo were witnesses to the charter to the abbey of Selkirk.

Cumbrenses judices. It is difficult to explain this. David had no rights over Cumberland at the date of the Inquisitio. He may have obtained the assistance of experienced Englishmen to ascertain the rights of the old church, but men of Cumberland (one would think) would not have sufficient knowledge to warrant their giving evidence as to the history and possessions of the bishopric of Glasgow. However, 'Cumbrensis' here may mean, men of the south of Scotland, in some chronicles and charters of the twelfth century, Cumbria is used, for part of the old kingdom of Scottish Strath Clyde.

Halden filius Eadulf. I have not found his name in any other record.

p. 46. **Hujus rei testes sunt.** I have already said that I regard this list as a spurious addition. I am unable to suggest on what occasion and for what purpose, this large assemblage of distinguished persons could have met.

p. 46. **Matildis comitissa**: the wife of Earl David. She is represented as here consenting "ex sua parte," but what she consented to or what interest she had in the lands of the church, I cannot imagine.

LI.

From the MS. Chartulary of Daventry Priory, British Museum, Claud. D. XII., fol. 1.

Earl David, addressing all his barons and friends, French and

English, announces that all the lands and tithes which the monks of Daventry hold in his fee shall be held 'in elemosina.'

p. 47. **Daventry**: in Northamptonshire. The manor was part of the Earldom of Northampton (1 Whalley, p. 44; Dugdale, Monast., v., p. 176): "Hugh de Leycester, Sheriff of Northamptonshire, . . . placed in the church of Preston Capes (or West Preston) . . . four Cluniac monks, who, labouring under want of water and other inconveniences, were in a few years, removed to the town of Daventre, where Hugh, near the parish church (wherein were then four secular canons), built a priory to the honour of St. Augustine, the monk, subordinate to St. Mary de Caritate in France."

Among the early benefactors were Simon, Earl of Northampton, and the Countess Matilda his wife. They, by charter addressed to Robert, Bishop of Lincoln, stated that Robert, the son of Vitalis, in the year in which Anselm, Archbishop of Canterbury, died (A.D. 1109), came to Northampton and asked them to confirm his gift to Daventry Priory of the churches of his Manor of Foxton, viz. Lubenho, Scaldeford, Guthmundelay, Bitlesbroc and Braibroc." After Earl Simon's death the Countess Matilda married Earl David, hence this charter.

p. 47. **Testibus**: **Hugh de Leicestria**, the founder of Daventry, sheriff of Northampton and steward of the Earl. **Robert son of Ingell**: a mistake for Robert son of Nigel. **Apud Jerdelai**: Yardley Hastings in Northamptonshire, one of the castles of the earldom.

LII.

From the Chartulary of Wetheral Priory, printed in Dugdale, Monast., III., p. 583; Register of the Priory of Wetheral (Prescott, p. 194).

A confirmation by Earl David of a grant by Robert Brus of the vill and church of Karkarevil to the Abbey of St. Mary, at York.

p. 47. **St. Mary's Abbey of York.** The cell of Wetheral, in Cumberland, was given by Ranulf Meschin to the Abbey before A.D. 1120 (3 Dugdale, Monast., 581).

p. 47. **Eboracensi**: clerical error for Eboraci.

p. 47. **Karkarevil.** I do not know where it was; it must have been a land of the Bruces of which Earl David was overlord, possibly in the Earldom of Northampton. Dr. Prescott thinks it was in Annandale.

p. 47. **Robertus Brus**: the elder Bruce, to whom Annandale was granted (see note to LIV.).

LIII.

The original is in the Archives of the Duchy of Lancaster. A tag shows that there has been a seal which is now missing. Printed in Bain's Calendar, I., pp. 1, 557.

"Earl David to Edward the reeve (praepositus) and to all his successors and to all his men of the land and soc in London and Totenham, greeting: Know ye that I have granted and disponed to Roger the Archdeacon and his heir all that land which Alwyn Kybbel and Ailward, his sub-tenant (subsessor), held, freely, with sac and soc, he paying every year three shillings for rent and eight pence for sac and soc; and Agelward shall go to support the pleas of the Earl, and the Archdeacon himself, if he shall be in London disengaged and shall be summoned, shall maintain the Earl's pleas; and those who hold under him shall have no risk of being summoned into court; nor shall the Archdeacon raise Agelward's rent beyond what he is wont to receive, nor shall the rent of the Archdeacon himself be raised; and no one shall be lodged in the Archdeacon's house save Robert Foliot and his esquire, unless by the Archdeacon; but if a Bishop or other churchman come to the Earl, if necessary, he shall be entertained. To this grant the witnesses are William Peverell, etc."

p. 48. **Totenham**, in Middlesex, north of London, was a manor which belonged to the Countess Matilda. I do not know whether it belonged to her father Earl Waltheof (Lyson's Env. of London, II., part ii., p. 746), or whether it was one of the manors granted by the Conqueror to her mother, Countess Judith. Countess Matilda and her first husband, Simon de St. Liz, gave the tithe of Todeham to the monks of St. Andrew's, Northampton.

Some years after this grant by Earl David, his son, Earl Henry, granted to Uctred de London seven score acres in the Hangre of Toteham and a half holm which Engelram held, and four trunks of trees for firewood, and free pannage for five pigs, for a rent of a mark of silver (British Museum, Cottonian Charters, Cartae Antiq., XVIII., 46). Malcolm IV. granted these 140 acres to Robert son of Swain (Dugdale, Monast., IV., p. 83).

King John confirmed the manor to a later Earl David (brother of William the Lion) in 1199, and it was a part of the dower of his widow. In 1254 a survey was taken of the capital messuage of Totenham (1 Bain, Cal., p. 368). It was divided between Robert de Brus, John de Baliol, and Henry de Hastings, the co-heirs of the Earl.

The church of Totenham was given by David, King of Scotland, to the canons of the church of the Holy Trinity in London (Charter XCVIII., ante, p. 78), to whom it belonged until the Reformation. In 1544 it was granted by King Henry VIII. to the Dean and Chapter of St. Paul's.

p. 48. **Roger the archdeacon.** In Dugdale's Monast., St. Paul's, p. 237, mention is made of Roger the archdeacon, son of Robert the archdeacon, holding the prebend of Cadington Major.

p. 48. **Alwinus Kybbel et Ailwardus.** I have not discovered any other notice of these.

p. 48. **Testibus**: **Robert Foliot** was the Earl's steward. **William Peveraell** (Bain, Cal., Pref. xvi): "possibly the great baron of that name, reputed son of the Conqueror."

LIV.

The original charter is preserved in the Archives of the Duchy of Lancaster; National MSS. of Scotland. Printed, 1 Act. Parl. Scot., p. 92.

King David, addressing all his barons and vassals and friends, French and English, informs them that he has granted to Robert de Brus, Estrahanent (Annandale) and all the land from the boundary of Dunegal of Nithsdale to the boundary of Randulf Meschin. He wills and grants that de Brus may have and hold that land and its castle with all the rights which Randulf Meschin ever had in Carduill and in his land of Cumberland.

p. 48. **David Dei gratia Rex Scottorum.** Earl David succeeded to the throne on the death of his brother Alexander I., 23rd April, 1124.

p. 48. **Robert de Brus** (the son of a Norman who acquired many manors in Yorkshire) held the land of Exton in Rutland in the Earldom of Northampton. He and Earl David became friends, probably at the court of Henry I. Ailred states that de Brus at the battle of the Standard appealed to King David's recollection that as early as 1107 he and other Normans had sufficient influence in Scotland to force King Alexander to yield a part of the kingdom to his brother David.

Robert de Brus was a frequent witness to the charters of David I. (pp. 28, 42, 51, 52, 55, 58, 70, 71, 73 bis, 78, 82, 87, 89, and 99). He resided in England, and was an English rather than a Scottish man. He had two sons, Adam and Robert. Adam succeeded to the estates in England. To Robert, his father in his own lifetime gave Annandale.

In 1138 Robert de Brus was of the party which supported Stephen, and at the battle of the Standard, de Brus and his son Robert were on different sides. The elder de Brus immediately before the battle renounced his fealty to King David. The son Robert was taken prisoner by his father, and by the order of the King of England he was placed in the custody of his mother. He complained that Annandale yielded no wheat for bread which he could eat and his father gave him the lands of Hert and Hertness in Skelton, Yorkshire. Robert de Brus the elder, to whom this charter was given, died in 1141 and was buried in Guiseburn Abbey, which he had founded in 1129.

Annandale is the middle division of Dumfriesshire. It is bounded north by Lanarkshire and Peeblesshire, north-east by Selkirkshire, east by Eskdale, west by Nithsdale, north-west by Lanarkshire, and south by the Solway Firth. It includes the parishes of Annan, Cummertrees, Dalton, St. Mungo, Hoddam, Middlebie, Tundergarth,

Dryfesdale, Kirkmichael, Lochmaben, Johnstone, Applegarth, Hutton, Corrie, Wamphray, Kirkpatrick Juxta, Rainpatrick, Moffat, Gretna, etc., and has an acreage of above 200,000 acres.

King William the Lion confirmed to Robert de Brus the younger "terram quam pater suus et ipse tenuerunt in villa de Annand' per easdem divisas per quas pater suus eam tenuit et ipse per patrem suum: tenendam sibi et heredibus suis de me et heredibus meis in feudo et hereditate in bosco et plano in pratis et pascuis in moris et mariscis, etc., ita libere et quiete sicut pater suus vel ipse eam tempore regis Davidis avi mei vel regis Malcolmi fratris mei. Exceptis regalibus quae ad regalitatem meam spectant scilicet, causa de inventione thesauri, causa de murdro, causa de assaltu premeditato, causa de femina efforciata, causa de arsione, causa de rapina, Quas causas mihi reservavi, Concedo etiam ei ut haec causae sint attachiatae per unum hominem de feudo suo quem eligero et tractatae et placitatae per ante justicias meas infra comitatum de Ka . . et tales consuetudines capiet de hominibus regni mei quales capiuntur apud Rokesburg excepta assisa baroniae suae. Volo . . . per servitium centum militum excepta custodia castellorum meorum . . . ipsum quietum clamavi." (Nat. MSS. Scotland with facsimile.)

p. 49. **Dunegal de Stranit.** Chalmers (Caledonia, III., p. 71), followed by later writers, states that four sons of Dunegal—Randolph, Duvenald, Duncan, and Gillespic—after his death shared his extensive possessions in Nithsdale.

p. 49. **Randulfus Meschin.** "Meschin (*i.e.* junior, Latin *meschinus*, French *meschin le jeune*) was the son and heir of Randolph Vicomte de Bayeux, by Matilda, sister of Hugh Earl of Chester; he acquired, about A.D. 1092, the lordship of Cumberland" (Prescott's Wetheral, App., pp. 468-470). "To protect his province of Cumberland against the Scots he provided three baronies: Lyddale which he gave to Turgis Brundis, Burgh by Sands to Robert de Trivers, and Gillesland to his brother William Meschin." He resigned the lordship of Cumberland about 1122 on succeeding to the earldom of Chester.

p. 49. **suum castellum** was Lochmaben.

p. 49. **Carduill** is Carlisle. The continuator of Simeon of Durham, sub anno 1122, says: "Hoc anno rex Henricus post festum S. Michaelis Northymbranas intrans regiones, ab Eboraco divertit versus mare occidentale, consideraturus civitatem antiquam quae lingua Brittonum Cairlel dictus, quae nunc Carleol Anglice, Latine vero Lugubalia appellatur, quam data pecunia castello et turribus praecepit muniri" (Simeon of Durham, Surtees' edition, p. 119).

p. 49. **Testibus: Eustace Fitzjohn**, nephew and heir of Serlo Burg who founded Knaresborough Castle, was a leading baron in the north of England. He was a friend of King David. He witnessed several charters by that king and by his son Earl Henry, most of them relating to lands in England (ante, pp. 64, 65, 89, 95, 101, 139, and 200). He was sheriff of Northumberland along with Walter Espec, *temp.* Henry I. (2 Brand, Northumberland, p. 5). He founded the abbey of Alnwick in 1147. He married the daughter of Ivy de Vescy, through whom he got the great baronies of Alnwick and Malton. Their son William took the name of de Vescy. He was sheriff

of Northumberland 1157-1170 (Farrer, p. 10). By another wife Eustace Fitzjohn had a son, Richard Fitz Eustace, constable of Chester and baron of Halton and Widnes. Eustace Fitzjohn fell in the ambuscade of Welshmen at Counsylth, near Basingwerk, in July, 1157, when King Henry was invading North Wales (Prescott, Wetheral, p. 19).

p. 49. **Alano de [Perci].** See note to No. CCLIII. In the original the word is incorrectly written. "Perci" is supplied by all those who have quoted the charter.

p. 49. **William de Sumerville** was an Englishman, a friend of King David, who accompanied him to Scotland and settled there. He and his son witnessed many of the king's charters (pp. 72, 79, 93, 94, 100, 105, 108, 112, 128, 136, 139, 141, 147, 150, 159, 160, 186, 190, 197). Chalmers is in error when he states that the Chronicle of Melrose shows that William de Sumerville died in 1142. The only record of a death of Sumerville in that chronicle is under date 1242.

He left a son, William, who died circa 1161, and from whom the family of Somervilles in Scotland was descended. 1 Chalmers, Caled., 509: "Gualter de Somerville . . . obtained from (the Conqueror) Whitchnour in Staffordshire and Somerville Aston in Gloucestershire. He left several sons, at the commencement of the twelfth century, Gualter, who inherited his estates in England; and William, his second son, who attached himself to David I. He obtained the manor of Carnwath."

p. 49. **Berengarius Engaine.** The Engaines (or Ingaines) were a Northamptonshire family; for their pedigree see 1 Baker, Northamp., p. 9; Round, Feudal England, p. 154; 1 Chalmers' Caledonia, p. 511. Berengarius Engaine, probably, was a vassal of David, Earl of Northampton, and accompanied him to Scotland. He acquired the land of Crailing in Roxburgh: he was a benefactor to Jedburgh Abbey (Morton's Monastic Annals, p. 50). I do not know whether he left sons to inherit his lands in Scotland. A relative of his (but whether father, uncle, or brother, I do not know), Ranulf Engaine, married the heiress of Robert d'Estrivers, and with her acquired the barony of Burgh in Cumberland, which their grand-daughter brought to her husband de Morevilla.

p. 49. **Randulf de Sules.** Ranulph de Sules accompanied David I. from Northamptonshire to Scotland. . . . He witnessed many charters. He got a grant of Liddlesdale. He granted to the monks of Jedworth the church of Dodington near Barton in Northamptonshire and the church of Liddlesdale with half a carucate of land in the manor of Nisbet (Morton's Monastic Annals, p. 51). In Liddlesdale he built a castle at Castletown. He held the office of Pincerna Regis for some time in the early years of the reign of William the Lion, and died not long before 1170, he was succeeded in his estates by his nephew Randulf, the son of William de Sules. The de Sules remained in Scotland and held a prominent position for the next two centuries. One of the family was a competitor for the Crown in 1291.

p. 49. **William de Morvilla**: he appears as witness, p. 160. **Henry son of Warinus.** I have not been able to identify him. **Edmund the chamberlain.** In the charter to the Abbey of Selkirk (XXXV., ante,

p. 28), Adam the chamberlain is a witness ; Edmund, who succeeded him, was in turn succeeded by Herbert, a frequent witness to charters by David I.

LV.

Printed in Haddan and Stubbs, 2 Concil., p. 211 ; Robertson's Concil., Preface, p. xxvi ; and Wilkin's Conc. Mag. Brit. et Hib., Vol. I., pp. 406-7.

Pope Honorius desires King David to receive and to honour his Legate, Cardinal John, and to cause the Bishops of Scotland to attend his council. The controversy between the Archbishop of York and the Scottish bishops will be carefully enquired into by the Legate. The Pope reserves the right of final decision.

Honorius II. was Pope for six years, A.D. 1124-1130.

Lord Hailes and Dr. Joseph Robertson say that a council was held at Roxburgh ; but it seems to me that, though the Legate met King David at Roxburgh, there is no evidence that he held council. The council assembled in London after the Legate's return from Scotland. The Chronica de Mailros (p. 68), A.D. 1125 : "Johannes Cremensis legatus Angliam venit et ad regem David apud Rokesburc, et in reditu apud Lundoniam concilium tenuit."

"Hac auctorite Johannes praedictus circuiens Angliam etiam ad regem Scottorum David pervenit apud fluvium Twedam qui Northymbriam et Loidam disterminat in loco qui Rochesburh nominatur ubi officio legationis peracto, rediens apud Londoniam celebrant concilium, quod de capitulis subter annexis habetur in hunc modum." (Simeon of Durham, 1 Twysden, p. 252.)

Hoveden, quoted in Thorpe's edition of Florence of Worcester, II., p. 81, said : "Cum enim in concilio severissime de uxoribus sacerdotum tractasset, dicens summum scelus esse a latere meretricis ad corpus Christi conficiendum surgere, cum eadem die corpus Christi confecissit, cum meretrice post vesperam interceptus est. Res apertissima Lundoniae gesta negari non potuit. Summus honor prius ubique habitus, in summum dedecus versus est. Remeavit igitur in sua. Dei judicio confusus et ingloriosus." It is possible that this is untrue. Ciaconius, Vol. I., p. 919.

LVI.

From the MS. Register of the Priory of Northampton, British Museum, Cott. MSS. Vespas. E., XVII.

King David, addressing Robert, Bishop of Lincoln, and Hugh, the Sheriff of Leicester, and all his officers and liegemen, French and

English, announces that he has granted the church of Potton to the church of St. Andrew of Northampton.

Thinking that the charter implied that Queen Matilda was still alive, I dated this as granted prior to 1130; but that cannot be the right date, if Robert be the name of the Bishop of Lincoln to whom the charter was addressed, because Robert (Blount), the first Bishop of Lincoln of that name, died in 1122, before David I. became king, and the next Bishop Robert was not elected bishop until 1147, long after the queen's death; in 1147 David no longer held the Earldom of Northampton. I suspect that the scribe wrote R. for A. (Alexander), who was Bishop from 1123 until 1147.

p. 50. **Hugo vicecomes de Leycestria** is Hugh of Leicester, the Sheriff of Northampton.

p. 50. **Poltona**: this is a mistake for Potton in Bedfordshire. In 1214 there was a dispute between Earl David, brother of King William the Lion, and others regarding 12 virgates in Potton. Henry de Braboc got the land, to be held under Earl David for the fourth part of a knight's service. (1 Bain's Calen., No. 598.)

p. 50. **St. Andrew de Northampton**: a Cluniac Priory, in the north-west part of the town of Northampton, near the wall bordering on the river; a monastery repaired and largely endowed by Simon de St. Liz, first husband of Queen Matilda. He replenished it with Cluniac monks from the abbey of St. Mary de Caritate, in which he was afterwards buried. (Dugdale, Monast., v., p. 185.)

LVII.

From the Register of the Priory of St. Andrew of Northampton British Museum, Vespas. E., XVII.

King David confirms to the monks of St. Andrew of Northampton all the lands which they held as his vassals on the day when he became King of Scotland.

p. 50. **eo die quo factus sum Rex Scotiae**: *i.e.* 23 April, 1124.

p. 50. **praecipue dapifero meo**: his steward in the Earldom.

p. 51. **Testibus**: **Michaele de Hamesl., Ilbard de Agenho and Ogerus de Hotton.** I have not identified these witnesses.

LVIII.

Register of the Priory of Northampton in the British Museum, Vespas. E., XVII., 11 fol. (86).

Mandate to Reginald de Bull to pay to the prior and to the monks of Northampton 40s. from the rents of Bedford (20s. at Easter and 20s. at Michaelmas).

p. 51. **Reginald de Bull** was probably King David's steward, who collected the rents, etc., due by the tenants of the Earldom of Northampton, in Bedford.

p. 51. **Grimbaud**: a Northamptonshire baron, who gave to St. Andrew, Northampton, the church and tithe of Moulton, with the tithe of Budon and a ploughgate of land.

LIX.

King David, addressing all his lieges and friends, announces that he has granted to God and to St. Mary de Caritate, and to the church of St. Augustine at Daventry, and to the monks there serving God in alms whatever they hold of him in feu. William and Hugh, who are canons there, shall hold their prebends for their lives, unless they cease to be monks. This was granted on the day of the dedication of the church of St. Andrew at Yardley.

p. 52. **Jerdelai**. Yardley Hastings was one of the seats of the Earl, where probably he spent much of his time between his marriage and his accession to the throne, and to it he returned when the church was dedicated. Alexander, Bishop of Lincoln (1123-1147), consecrated it, and there were also present the archdeacon and and the king's chancellor, besides the friends Hugo de Moreville and Robert de Brus. Guido de Chanin and William de Hoct, or Hocton, we may believe, were Northamptonshire or Bedfordshire barons.

LX.

King David, addressing Hugh the sheriff, and Grimbald, and all his officers, gives orders that the monks of Northampton shall hold the church of Brayfield, with the virgate of land which belongs to it, free of all service due to the king. He further grants two cartloads of rushes from the wood at Yardley.

p. 52. **Hugh** was probably the Sheriff of Northamptonshire, Grimbald was a Baron, probably an officer of the Earldom.

Braufield is the parish of Brafield, on the Green, joined with Little Houghton St. Mary, in Northamptonshire. (Whalley, Northamptonshire, I., p. 452.) It had been granted by Simon de St. Liz, and Maud, his wife, to St. Andrew, Northampton.

LXI.

Registrum de Dunfermelyn, fol. 6 a; Bannatyne Club edition, p. 9, No. 6.

King David, addressing William the sheriff and his officers of Stirling, orders that they cause all the tithes and rights due to the monks of Dunfermline to be as fully rendered to them as the king had gifted.

The monastery of Dunfermline had right to half of the hides and fat, etc., of all the beasts killed for feasts at Stirling and between Forth and Tay, to a 'mansura' in Stirling, to the two churches of the town, to a ploughgate of land which adjoined the church, to a tithe of the fruits, animals, and fish from the king's demesne, and to a tithe of the king's rent from the burgh, to a tithe of the whole of the 'Castrensis provinciae' to the house of Roger the priest, and to a net and a half of the fishing.

These tithes, and rights, and rents, it may be believed, were too numerous and too varied to be easily collected and preserved, and the intervention of the Sheriff of Stirling was necessary.

By the time of the Reformation all that remained to the abbey of their rights in or near Stirling was the church and its teinds. In 1561 the glebe (probably the old ploughgate of land) yielded £10, and the teinds were leased to the laird of Garden for £8 a year.

p. 52. **Castrensis provinciae**: probably the domain attached to the castle of Stirling.

LXII.

Registrum de Dumfermelyn, fol. 7 b; Bannatyne Club edition, p. 15, No. 26.

This was granted between 1124 and 1127, while Robert was still bishop elect. He was consecrated in 1127. (2 Concil., 214.)

King David, addressing Robert, Bishop (elect) of St. Andrews, and his earls, barons, and liegemen, informs them that he has given for ever in alms to the Church of the Holy Trinity at Dunfermline the tithe of all his demesne lands of Dunfermline, except of those which belong to other churches, and also a house (mansura) in the burgh of Dunfermline, another in Stirling, another in Perth, and another in Edinburgh.

It was confirmed by King David (CCIX., ante, p. 167), King Malcolm IV. (Reg. de Dunf., p. 20) and King William (*ib.* pp. 28, 29).

p. 53. **Dominiis meis.** I understand 'dominia' to mean Crown lands in the King's possession within the 'shire' of Dunfermline. This grant acknowledges the obligation to pay tithe to the church, while it recognises that the landowner had right to select to what particular church tithe should be paid. The tithe of some of these demesne lands in Dunfermline already belonged to other churches; what remained was for the future to be paid to the church of Dunfermline.

p. 53. **In burgo meo.** Round the King's houses in Dunfermline, Stirling, Perth, and Edinburgh, on the King's land, burghs had long

before this time been built. During the reign of David I. they increased in size and importance. In theory the land within a burgh belonged to the King; the burgesses were his immediate tenants, who had privileges attached to, or conferred on, the King's men, his land, port, or market. The King granted many lands and tofts and 'mansurae,' etc., within burgh; sometimes the grantees were exempted from the duties of watching and warding, and even of payment of rent, which were the usual conditions of burgage holdings.

p. 53. **Roberto electo.** Robert was elected Bishop of St. Andrews in 1124 and consecrated in 1127.

LXIII.

Cott. MSS. Claud. B. III., fol. 131 b; Reg. Alb. Ebor., I., fol. 52, and III., fol. 57 b; Dugdale, Monast., VI., p. 1187, No. 49; 2 Concil., p. 24.

A letter from Pope Honorius II., directing Gilla Aldan, the Bishop (elect) of Candida Casa, to seek consecration by the Archbishop of York. Pope Honorius II. was enthroned 21 December, 1124: this letter was written (probably) in 1126 (2 Concil., p. 24). Gilla Aldan was the first bishop when the see was re-established by Fergus of Galloway.

LXIV.

Cott. MSS. Claud. B. III., fol. 22 a; Reg. Alb. Ebor., II., fol. 17; Dugdale, Monast., VI., p. 1188, 1189, No. 64; 2 Concil., p. 25.

Bishop Gilla Aldan was consecrated by the Archbishop of York in A.D. 1127, after making this profession of obedience to his metropolitan —Stubb's Acta Pontificum Ebor. (Twysden, 1720.)

LXV.

The original charter, in duplicate, is in the Treasury at Durham, with seals attached. Both were printed by Dr. Raine, N. Durham, App., p. 4, Nos. XV. and XVI. King David confirms King Edgar's charters of lands to the church of St. Cuthbert (XIX., p. 16; XX., p. 17; XXI., p. 18; XXII., p. 18).

p. 55. **Lodoneis**: the lands lay in Berwickshire, then a part of Lothian.

p. 55. **Goldingeham . . . Cramesmuthe**: these have already been noticed. **Lamberton**, an estate in Berwickshire, was of old in the parish of Ayton; it is now in Mordington.

p. 55. **Sacca et socna**, etc. These remains of Anglo-Saxon phraseology are here little more than words of style, conferring generally baronial jurisdiction.

p. 55. **the third year of his reign**: *i.e.* between 23 April, 1126–24 April, 1127.

p. 55. **Apud Peblis**: Peebles, where the King had a castle.

p. 55. **Testibus.** Ascelinus, the Archdeacon of Glasgow, witnessed many of King David's charters (ante, pp. 68, 69, 73, 79, 93, 108, 136, 186, 202). He held a land at Partick under the King (CIX., ante, p. 85). He was Archdeacon till the reign of King Malcolm IV. (Mun. Melros., p. 8).

LXVI.

Registrum de Dunfermlyn, fol. 7 a; Bannatyne Club edition, p. 12, No. 16.

King David, addressing all his barons and liegemen, orders that no one shall take any distress on the land or from the men of the Church of the Holy Trinity for wrongs done by any than themselves.

p. 56. "**Namum capere**": Spelman, Glossarium: "Namium et Namus, captio, a Sax. naman al. nyman capere. Voces prisci fori, haec apud Scotos, illa apud Anglos veteres usitatior. Res, bona, animalia quae per distinctionem capiuntur significantes. Hoc est ea quae a possessore auferuntur legitimeque retinentur, mulctae vel pignoris nomine quousque, id fecerit vel praestitit quod non sine injuria recusaverit." Twysden, Glossary: "Namium, vocabulum forense et leguleis nostris satis notum, licet quodammodo antiquatum, ut ab eis in verbum nunc dierum usitatius 'distresse,' paris significationis (pignoris enim captionem signat) mutatum est enim a Saxon. 'Name,' *i.e.* pignus vel pignoris prehensio: ut illud a nyman capere, prehendere."

Distress was a prominent subject in Celtic law. Mr. Handcock, the editor of the Senchus Mor, vol. I., Preface, p. xlvi: "It appears to have been the universal remedy by which rights were vindicated and wrongs redressed. . . . The plaintiff or creditor, having first given the proper notice, proceeded . . . to distrain. . . . The distress, when seized, was, in certain cases, liable to a stay, . . . which was a period . . . during which the debtor received back the distress and retained it in his own keeping, the creditor having a lien upon it. Such a distress is a 'distress with time,' but, under certain circumstances, . . . an 'immediate distress' was made, the peculiarity of which was, that during the fixed period of the stay, the distress was not allowed to remain in the debtor's possession, but in that of the creditor, or in one of the recognised greens or pounds. . . . The distress remained in the pound a certain period, according to its nature, . . . and the expense of feeding and tending ran against the distress, and was payable out of it for this period. At the end of the delay in pound, the forfeiting time . . . began to run, during which the distress became forfeited at the rate of three 'seds' per day until entirely forfeited. If the entire value of the distress thus forfeited was exactly equal to the original debt and the subsequent expenses, the debt was liquidated; if it was less than this, a second distress was taken for the difference, or, if more, the overplus was returned. . . . But if,

instead of allowing his cattle to go to pound, the debtor gave a sufficient pledge . . . to the creditor that he would . . . try the right to the distress by law, the creditor was bound to receive such pledge. If the debtor did not go to law, the pledge became forfeited for the original debt."

In the Ancient Laws of England, vol. I., p. 387, there are many regulations as to distress; for instance, the Secular Law of King Cnut, No. 19: "And let no man take any distress either in the shire or out of the shire before he has three times demanded his right in the hundred." The right to distrain was restricted by the law of Henry I., cap. 51, sec. 3: "Et nulli sine judicio vel licencia namiare liceat alium in suo vel alterius."

The law of distress in Scotland was harsh. A creditor could distrain not only the goods of the debtor, but also those belonging to his kin or neighbours. The severity of this law was relaxed in favour of the tenants of some monasteries. In the charter to Dunfermline it was restricted to distress on the goods of the debtor. That was repeated in a subsequent charter, CXXVIII. (ante, p. 97): "Prohibeo quod nullus super meum forisfactum aliquod namum in praedicta terra ullo modo capere praesumat pro ulterius extrinsecus forisfacto." And CCIX., ante, p. 169: "Prohibeo ne aliquod namum capiatur super terram vel super homines Sanctae Trinitatis pro forisfacto alicujus nisi pro proprio forisfacto illorum."

King David to Holyrood (ante, p. 119): "Et prohibeo ne aliquis capiat pandum super terram Sanctae Crucis nisi Abbas loci rectum et jus facere recusaverit." To St. Andrews, LXVII., ante, p. 56: "Prohibeo quod nullum namum capiatur usquam in terris pertinentibus ecclesiae Sancti Andreae pro ulterius forisfacto vel debitis aliorum"; and CLXIII., ante, p. 127: "Praecipimus etiam ut nullus namum capiat in terris suis pro alterius forisfacto vel pro debitis aliorum."

There are many other examples of the restriction of the right to take pledges; for instance, Malcolm IV. to Scon: "Prohibeo firmiter ne quisquam super terram Abbatis de Scon namum capiat pro alicujus debito neque pro debito ipsius Abbatis aut alicujus hominum suorum nec pro ipsius Abbatis aut aliquo suorum defectu nisi Abbas ipse aut ejus homo in curia ipsius Abbatis calumpnianti prius defecerit de recto super meam plenariam forisfacturam." (Lib. de Scon, p. 12.)

William the Lion to the Abbey of Holyrood: "Aut super eorum homines namum capiant nisi sit pro dominicis debitis suis aut pro debitis hominum suorum"; and to the Abbey of Kelso: "Mando et firmiter praecipio nequis unquam namum capiat super Abbatem de Kalchou neque infra neque extra terras ejusdem ecclesiae priusque ipse abbas vel minister sui requirantur de rectitudine facienda."

The same king conceded to the burgesses of Moray that their goods be poinded only for their own debts. (1 Act. Parl., p. 88.) The Assize of David, cc. 21, 22, 23, prohibited poinding without the leave of the lord or the bailie, while the goods of a burgess could not be poinded without the leave of the provost. (Leg. Burg., c. 4.)

In 1273 Malcolm, Earl of Lennox, conceded to the Abbey of Paisley that no "captiones" be taken for him from the goods of the monks. (Chart. Paisley, p. 203.) In 1318 the exemptions in favour of Religious Houses were extended to all. It was then enacted that no one be poinded except the debtor and the surety (1 Act. Parl. Scot., p. 468), but

that perhaps was not immediately obeyed, for as late as 1398 King Robert III. to the Abbey of Paisley: "Concessimus etiam eisdem religiosis ut nullus namos suos aut hominum suorum capiat pro alicujus debito plegiagio vel forisfacto nisi pro eorundem proprio debito plegiagio vel forisfacto. Salvis burgis nostris." (Chartul. of Paisley, p. 96.) By the laws of the Marches (1 Act. Parl. Scot., p. 414) a Scottish creditor could lawfully poind for his debt the goods of men in England of the same rank in life as the debtor.

LXVII.

Registrum Prioratus S. And., fol. 79 a, Bannatyne Club edition, p. 183.

King David, addressing his Barons, sheriffs, officers, and all his liegemen, announces that he prohibits the taking of any distress on the lands of the church of St. Andrews for the default or debts of strangers. (See note to LXVI.)

p. 56. **Herbert the chamberlain** was the constant attendant and faithful servant of King David during his whole reign. He was a witness to charters ante, pp. 72, 80, 86, 91, 95, 97, 100, 106, 107, 119, 121, 122, 124, 129, 134, 138, 139, 140, 141, 171, 172, 179, 182, 183, 195, 201, 212, 213.

He perambulated the land of Rindalgros with King David and William Giffard, p. 123. He continued to hold office under Malcolm IV. till at least A.D. 1160. (Reg. Prior. S. And., p. 207, and Regis. Epis. Glasg., p. 14.)

LXVIII.

Registrum de Dunfermelyn, fol. 7 a; Bannatyne Club edition, p. 13 No. 19.

King David grants to the church of Dunfermline, Ragewin, Gillepatric, and Ulchil, just as his own men.

Presumably these men were serfs, the personal property of the King, passing by grant and delivery; men more servile than the 'nativi' and 'adscriptitii glebae,' who could not be sold except with the land on which they were born, lived, and laboured. I give a few of many instances of gifts and sales of slaves in Scotland in the eleventh and twelfth centuries:

William the Lion granted to the Abbey of Dunfermline "Gillandreas Mac Suthen et ejus liberos et illos eis quietos clamasse de me et heredibus meis in perpetuum" (Reg. de Dunf., p. 36, No. 64). Waldeve, the Earl, granted to Kelso Abbey "Halden et Willelmum fratrem ejus et omnes liberos eorum et omnes sequaces eorum" (Liber de Calch., p. 198). Richard de Moreville, the Constable, sold to Henry de St. Clair Edmund the son of Bonda, and Gillemichael, his brother, and their sons and daughters, and all their progeny, for the sum of

three merks (1 Act. Parl. Scot., p. 94). In the Liber de Inchaffray: in 1250 Malise, Earl of Strathern, granted to the Priory "Gilmory Gillendes servum nostrum cum tota sequela sua"; A.D. 1278, John Cumyne granted "Gilchrist Roch filium Gilleththeny cum omni sequela sua ab ipso progressa et in perpetuum progressura"; and in 1287 the Earl of Strathern gave "Starnes filium Thome filii Thore cum tota sequela sua."

p. 57. **Gillemichel the Earl** was the son of Constantine, Earl of Fife. As Gillemichel Macduf he witnessed the charter to Dunfermline, LXXIV., ante, p. 63, with his father, the Earl. He succeeded to the Earldom about 1129. As Earl he witnessed charters LXXXIV., p. 69; CIII., p. 82, and CLIII., p. 119.

Though G. E. C. (Complete Peerage) says that Earl Gillemichel died in 1139, he died certainly before 1136, when his son Duncan was Earl; and, if we can trust a charter in the Book of Deer, Duncan was Earl as early as 1131-32.

Earl Gillemichel had a second son, Hugh, whose son, Egius, was a benefactor to the Priory of St. Andrews.

p. 57. **Waldef frater Dolfini.** He was the legitimate son of Earl Gospatric of Northumberland, who settled in Scotland in the reign of Malcolm III. Waldef seems to have seldom been in Scotland. His name appears only here and in the possibly spurious list of witnesses to the Inquisitio, p. 46. Waldef acquired from William (brother of Ranulf Meschin) the barony of Allerdale "inter Wathenpole et Derwent," and the whole land "inter Cocar et Derwent simul cum quinque villis scilicet Brigham, Egylysfeld, Dene, Bramthwaite, Gisothon et duo Cliftons et Stainburne." See *infra*, p. 327. It is possible that he became a monk and was Abbot of Croyland. Waldef, brother of Dolfin, died before 1138, leaving a legitimate son and heir, Alan, and a daughter, Guynold, who married Uchtred son of Fergus of Galloway.

p. 57. **Maldouenus judex.** He was the Maldouenus Mac Ocbeth who witnessed the great charter to Dunfermline (ante, p. 63), who is called "Meldoinneth filius Machedath judex bonus et discretus" in the report of the complaint against Sir Robert Burgonensis (ante, p. 67). Probably he is the Malduuenus Mac Murdac, who was a witness to CIX., ante, p. 86. All we know of him (and that is much) is that he was a good and discreet judge.

p. 57. **Unyet Albus**: see note to Charter XX.

p. 57. **Robert Burgeis**: see note to Charter LXXX.

LXIX.

Registrum de Dunfermelyn, fol. 7 a; Bannatyne Club edition, p. 15, No. 25.

King David, addressing all his liegemen, and especially the 'praepositi' of Perth, announces that he has granted a toft in his burgh of

Perth in alms to the church of Dunfermline. He orders that the monks be put in possession of that toft which Swain held. The King gave the Abbey of Dunfermline a dwelling-house in Perth, No. LXII., ante, p. 53. The grant of a house in Perth was confirmed, ante, pp. 61 and 167. Alexander I. gave a 'mansio' in Perth to the Priory of Scon (ante, p. 29). The Priory of St. Andrews had a toft there (Reg. Prior. S. And., pp. 148, 214). The abbeys of Aberbrothoc and Cupar had houses in Perth.

LXX.

Registrum de Dunfermelyn, fol. 7 b; Bannatyne Club edition, p. 17, No. 32. It is headed "De fugitivis qui vocabantur Cumberlache."

"David, King of Scots, to his faithful in Scotland and in Lothian, greeting. I order that Cumerlache be quickly restored to the Church of the Holy Trinity at Dunfermline, and all the slaves whom my father and mother and my brothers gave to it and their Cumerlache from the time of King Edgar until now, with all its goods wherever these may be found, and I forbid that these be unjustly retained."

p. 57. **Cumerlache.** In the general confirmation by King David the words of this order are repeated; and on the margin opposite the word 'Cumerlache' is written ". i. fugitivi."

The words are the same in the charter of confirmation by King Malcolm IV.; but in a charter by King William (Reg. de Dunf., p. 37, No. 68) there is a variation: "Praecipio firmiter ut ubicunque monachi de Dunfermelyn aut servientes eorum Cumerbas et Cumerlachos suos invenire poterint eos juste habeant," etc.

In a charter to the Priory of Scon (Lib. de Scon, p. 24): "Mando et firmiter precipio ut in cujuscunque vestrum terra aut potestate Abbas de Scon aut ejus serviens invenire poterit cumlawes et cum herbes ad terras Abbaciae de Scon pertinentes eos juste absque dilatione habeat. Nullus itaque quemquam ex illis ei injuste detineat super firmam defensionem meam et forisfacturam meam."

In the charters by Kings Alexander II. and Alexander III. to Dunfermline the word is "Cumelach."

Graham Dalyell, notes on the Chartulary of Dunfermline, p. 41, said of Cumerlache: "Whether these were a particular description of bondmen or acquired that appellation from being fugitives, or whether it was the surname of a distinct family of bondmen, if surnames were then generally known, I shall not presume to decide."

Mr. Skene, in an unsatisfactory passage, said (Celt. Scot., 3, p. 222): "In the last syllable of the name Cumherbes, or Cumarherbe, we can recognise the Irish word 'Orba,' applied to that part of the tribe territory which had become the private property of the chiefs; and this name was no doubt applied to that class of serfs whose bondage was derived from their possessing servile land. They were the 'ascripti glebae' of feudal times. The term Cumlawe or

Cumarlawe is simply a translation of the Latin term manutenencia, which characterized the third class of bondage above described, and whose tie to their master, being a personal one, led to their frequently escaping from hard usage and being reclaimed as fugitives."

He added in a footnote: "These names [Cumlawe and Cumarlawe] seem to be derived from the verb Cum, tene, retine; and in the one case *forba* or *orba* terra, and in the other *Camh*, manus with or without the preposition *ar*, upon. The word Cum is no doubt the root of the Irish Cumal, the primary meaning of which was a female slave."

LXXI.

From the Register of the Priory of St. Andrew at Northampton, Dugdale, Monasticon, v., p. 191.

Grant by King David to the monks of the church of St. Andrew of Northampton of the tithes of his demesne lands, both of flocks and fo the fruits of the earth. He confirms their rights in the vill of Scaldeford, viz. a mill and a ploughgate of land. The monks shall hold the rest of the land they have there, with the same liberties as Robert Fitz Violi, the lord of the vill, who had acknowledged before the King that the monks owed no service to him. The King gives permission to break up and sow the land called Williges.

p. 58. **Scaldeford** is a hundred in Leicestershire. In the survey of 1124-1129 (Round's Feudal England, p. 202): "Hundredum de Scaldeford in eadem villa Rex David XI. car. et dim. Ricardus Basset dim. car." Scaldeford became a part of the barony of Foxton, held by Vitalis Palfrey, and after him by his son Robert Fitz Violi.

p. 58. **Robert filius Vitalis.** In the Register of Daventry there is a pedigree of the family: "Vitalis Palfrey qui venit cum Domino Willielmo Bastard habuit ex dono ipsius Willielmi baroniam de Foxton, qui genuit Robertum et Robertus, Simonem et Simon, Ricardum primum," etc. A charter by Robert Filius Violi is in the Register of the Priory of Daventry: "Universis Sanctae Matris ecclesiae filiis et Christi fidelibus, clericis et laicis, Francis et Anglis. Robertus filius Violi, veram in Christo salutem. Notum sit omnibus vobis dilectissimis, quod tertio anno postea quam Osbertus prior de Daventre, cum quibusdam monachis suis, dirationaverat apud Leicestriam in conspectu Alexandri Lincolniensis episcopi, ecclesias totius terrae meae Foxtune, videlicet Lubeho Guthmundelay Scaldeford, Bitlisbroc, Braibroc, cum omnibus pertinentiis suis, unde eos injuste dissaisiveram, poenitentia ductus Daventreiam veni et ecclesiam Sancti Augustini bono animo et benevolo resaisiavi de ecclesiis praedictis quas antea et donatione mea ab anno quo Anselmus Cantuariensis Archiepiscopus mortuus est, habuerat et usque ad annum regni regis Stephani nonum quo eam investivi inconcusse possederat, culpam et injustam actionem meam ibidem coram plurimis clericis et laicis aperte recognovi et veniam a Domino et a Sancto Augustino quem offenderam postulavi et a monachis quantum in ipsis fuit Dei Gratia, impetravi. Quapropter vobis, filii Dei et amici charissimi

scribo et scribendo enixius supplico quatenus pro Deo amore et animae nostrae salute eleemosinam nostram ut in ea mecum per Dei misericordiam participemini, ad utilitatem ecclesiae Daventrensis et monachorum ibidem Deo servientium ubicunque et in quocunque poteritis manuteneatis et juvetis: Quia volo oro et desidero et in quantum mihi licet praecipio quod bene et honorifice teneant libere et quiete perpetuo possideant. Hujus rei et actionis testes sunt Johannes capellanus de Daventre, Thomas sacerdos de Norton, Nicholaus sacerdos de Foxtone, Jordanus filius ipsius Robert filii Violi et multi alii." (Whalley, Northampt., I., p. 46; Nicholls, Leicestershire, vol. 2, p. 561.)

Simon, son of Robert Fitz Violi, confirmed his father's charter, adding: "Ecclesia de Scaldeford tres virgatas terre habet et III. mansuras Dirnanni: scilicet Aswi et Willa Slinge, quae simul . . . virgatae forinsecus serviunt; dimidia vero virgata quam ego in eleemosinam eidem ecclesie dedi in nativitate Ricardi primogeniti mei, omni modis libera est."

p. 58. **Exton**, in Rutland, was in the Earldom of Northampton. It was possessed by Earl David (brother of King William the Lion), and by the marriage of his daughter Isabella to Robert de Bruce it became the property of the Bruces, who held it for several generations, then it passed to Cottons and Culpeppers; it was sold to Hicks, and afterwards to Noels. The rectory of Exton was given by a de Bruce to the Priory of Northampton.

p. 58. **Williges**. This may be the same as Willa Slinge in Simon's charter.

p. 58. **Gerdelai** is Yardley Hastings in Northamptonshire.

p. 58. **Michael de Hanesel.**: doubtless the same as Michael de Hamesl., a witness to LVII., p. 51. He and Bruce and Robert the son of Nigel held of King David in Northamptonshire.

LXXII.

The original charter was in the Panmure Charter Chest. Printed in Holyrood Charters. Bannatyne Club edition, p. 7, No. 3.

This was granted to the church of St. Cuthbert before the foundation of the Abbey of Holyrood. Addressing all his liegemen of Lothian, clerks and laymen, French and English, King David states that he had granted to the church of St. Cuthbert the land under the castle (of Edinburgh), from the spring which rises close to the corner of the King's garden, and along the road which leads to the church and on the other side under the castle until a road is reached which runs under the castle to the east.

p. 59. **Testibus.** Henry the King's son was still a youth not more than twelve or thirteen years old. **Willelmus de Graham** was a witness to several charters: CXXI., p. 93; CXXXIV., pp. 101, 103; CLIII., p. 119; and CCXXX., p. 185. Chalmers (Caledonia, I., p. 545) followed by Douglas (Peerage, 2, 233) stated that William de Graham had a

grant from David I. of the lands of Abercorn and Dalkeith, but though Dalkeith belonged to a William de Graham it is uncertain that he was the William de Graham who lived in King David's time; certainly Abercorn did not belong to him, for it was held by the Avenels and passed to the Grahams on the marriage of Henry de Graham with the heiress, Roger de Avenel's daughter (Northern Notes and Queries, Vol. XVII., p. 87). **Thor de Travernent**, the son of Swain; he held the manor of Tranent in Haddingtonshire, and he was a sheriff. He witnessed CLX., p. 123. **Malbead de Liberton.** Liberton is a parish near Edinburgh. Malbead held a considerable estate there in King David's reign (Chal., Caled., 2, p. 789). He witnessed a charter to Holyrood, CLX., ante, p. 123, and a charter to Newbattle, CXLVIII., ante, p. 114. He was one of those who perambulated the land of Clerkington, CXXXIV. and CXXXV., ante, pp. 101, 103.

LXXIII.

The original is in the Treasury at Durham with a seal "Episcopus in pontificalibus nudato capite, sinistra baculum pastorale, dextra benedicens. ✠ Sigillum Roberti Epi. Scottorum."

Printed in Anderson's Diplomata, facsimile; Raine, N. Durham, App., p. 81, No. CCCCXLVI.; National MSS. of Scotland with facsimile; Stevenson's Illustrations, 11, 12.

Robert, Bishop of St. Andrews, addressing all the faithful to mother church, lay and clerics, announces that in presence of King David, of the Archbishop of York, the Bishops of Durham and Glasgow, the Abbot of St. Albans, and others, he had summoned Algar, Prior of Durham, before the door of the church of St. John the Evangelist in Roxburgh, and had there acknowledged that the church of Coldingham was free from claim, custom, can, or conveth, and from all services by or to the Bishops of St. Andrews.

This proves that the Bishop of St. Andrews was consecrated on or before the 17th of July, 1127. One of the first acts of the Bishop was to declare that the church of Coldingham, which belonged to Durham, was free from service to the Bishops of St. Andrews.

p. 60. **Ranulf, Bishop of Durham,** A.D. 1099-1128.

Gaufrid de Gorram was the sixteenth abbot of St. Albans. 1118-1146. (Twysden, 503, 509.)

Cana, delivery of produce, animals, poultry, etc., as part of the rent by tenants or of the dues by a vassal to his superior.

Conveth was a Celtic duty paid to ecclesiastical superiors; allied to convectum (1 Chal., Cal., 447). It "was the Irish Coinmedha or Coigny, derived, according to O'Donovan, from Coinmhe which signifies feast or refection. It was the Dovraeth of the Welsh laws and was founded upon the original right which the leaders in the tribe had, to be supported by their followers. It came to signify a night's meal or refection given by the occupiers of the land to their

superior when passing through his territory, which was exigible four times a year. . . ." See Holyrood Charters, p. 61 ; Regist. Morav., p. 8 ; Reg. Prior. St. And., p. 238.

p. 60. **Sancti Kentigerni Martyris**, a clerical error for St. Kenelmi, whose festival was on the 17th of August.

Testibus: **Blehanus**, priest of **Litun**, probably a mistake for Ayton. **Adulf**, priest of **Aldehamstoc**, a parish in Haddingtonshire. **Henry**, priest of **Leinhale**—Leinhale was the old name of Coldstream. **Orm**, priest of **Edenham**—Ednam. **John**, priest of **Lidgardeswood**—Legerwood in Berwickshire. **Godwin dapifero**, probably 'meo' is omitted. **Godwino camerario meo.** Did the writer make a mistake, had the Bishop a dapifer and a camerarius both called Godwin? **Balsan**, probably 'de Prendegest.'

LXXIV.

Registrum de Dunfermelyn, fol. 8a ; Bannatyne Club edition, p. 1, No. 1 ; 1 Act. Parl. Scot., p. 359. The last sentence in the Register from 'Amen Fiat . . . Capellanis' was reproduced in facsimile, p. 4 of the Bannatyne Club edition.

This is a general confirmation by King David of his grants and of those of his predecessors to the church of Dunfermline. Probably it was granted when Geoffrey, the first Abbot, was consecrated by the Bishop of St. Andrews in 1128. That was almost the only occasion on which so large a number of Prelates and Earls and great Barons were likely to have met at the Abbey of Dunfermline. It was suggested by the editor of the Acts of the Scottish Parliament that this confirmation was approved at a Parliament or Council by the King, Queen, and the King's son, Bishops, Earls, and Barons, "clero etiam acquiescente et populo," but there is no evidence that in the reign of King David there were recognised "estates of the realm" which were wont to meet to legislate or to confirm the acts and grants of the King. In this charter little is granted with which the estates of the realm had concern. The King and his predecessors had conferred lands and rights which belonged to the Crown, and which hardly touched the rights of subjects.

I am not satisfied that the charter in its present state is genuine. It seems to me to have been revised and added to by some monk vigilant to increase the property of the church.

p. 61. **Ecclesia S. Trinitatis.** There must have been a church at Dunfermline in old times attached to the castle, but it probably was mean and small and served by priests of the Scottish church. Shortly after her marriage Queen Margaret caused a church to be built, which was dedicated to the Holy Trinity, in which she placed Benedictine monks, possibly under the supervision of Goldwin and the two brethren whom Archbishop Lanfranc sent to Scotland at

the Queen's request. In the beginning of the reign of King David the Priory was enlarged; in 1128 it became an Abbey with an abbot and twelve monks from Canterbury.

p. 61. **Patris atque matris meae.** This is the earliest authentic record of the grants by Malcolm and his queen to the church of Dunfermline. If these grants were in writing the charters have perished. No. x., ante, p. 8, is spurious, composed long afterwards from the material furnished by this confirmation by King David. The lands granted by King Malcolm and Queen Margaret lay for the most part in the west of Fifeshire, in the neighbourhood of Dunfermline. Inveresk Minor was the nucleus of what afterwards became a considerable estate in Lothian. **propono** should be praepono. **Pardusin,** Pardew, alias Broomhill, near Dunfermline, which shortly before the Reformation was feued by the abbey to James Murray (Reg. Dunf., p. 381). **Pethnaurcha** appears in the confirmations of Kings Malcolm IV., William the Lion, Alexander II. and III., and in a Bull by Pope Alexander III. **Petcorthin,** Pitcorthy, near Dunfermline; it remained the property of the abbey till the Reformation, when it yielded £17 6s. 8d. rent and 10 bolls teind beir. It was feued to the Drurys. **Petbachelin,** near Dunfermline. In 1235 Constantinus of Lochor acknowledged he had no right to it (Reg. Dunf., p. 101). Marjory of Petbachly of that ilk died and her heir sold half of the land to the abbey in 1456 (*ib.* pp. 340-345); at the Reformation it was feued to Wardlaws. **Lauer** appears in the confirmations by later kings. **Bolgin,** see ante, p. 232. **Schiram de Kircalethyn,** Kirkcaldy in Fifeshire. Earl Constantine for some time deprived the abbey of this shire (Reg. Dunf., p. 16). Kirkcaldy was afterwards made a burgh, from which, and from lands and saltpans in the parish, the Abbey of Dunfermline drew rents.

Duncan patris: a clerical error for Duncani fratris. It is very interesting to find that Duncan during his brief and precarious reign of six months gave, lands near Dunfermline, to the church founded by his father. No written grant of it has been preserved. The church of Dunfermline was more fortunate than the church of Durham, for while Duncan's grant to the latter, of land in East Lothian proved ineffectual, the church of Dunfermline retained rights in the two Luskers until the Reformation.

Edgaris patris mei: clerical error for Edgari fratris. His charter has not been preserved. **Schiram de Gellald**: it was a grange of the abbey. David II. gave leave to the abbey to make a port either at Gellald or at Wester Rossyth. (Reg. Dunf., p. 270.)

Ethelredi: Ethelred, son of Malcolm III. Pope Gregory IX. said: "E. frater clarae memoriae Davidis Regis Scotiae villam de Hales cum pertinentiis suis pia liberalitate monasterio donasset" (Reg. Dunf., p. 173). **Hale**: Hailes, in the barony of Musselburgh and shire of Edinburgh. Abbot Archibald de Douglas, who died 1198, sold Hailes to Thomas of Lestalrig (Reg. Dunf., p. 190). A later abbot revoked the sale, and the land was confirmed to the abbey by Pope Honorius III. in 1226 and again by Pope Gregory IX. in 1233. But the Lestalrigs kept it; in 1226 Thomas de Lestalrig agreed with the parson of Hailes about a mill dam (Reg. Dunf., p. 135); and in

1284 the Court of the abbey at Musselburgh decided that Symon, the son and heir of Sir John of Lestalrig, should hold Hailes of the abbey for his life (Reg. Dunf., p. 147). In 1448, on the resignation of Logan of Lestalrig, the abbey sold Easter and Wester Hailes to Sir William de Crichton of that ilk (Reg. de Dunf., p. 287). The abbey held the church 'in proprios usus' (Reg. de Dunf., p. 62).

p. 61. **Dona Alexandri Regis fratris mei**: King Alexander I., 1107-1123. **Duninad** is mentioned in King David's second charter (CC.) and in King Malcolm's confirmation. It is omitted in the subsequent confirmations by William, Alexander II., Alexander III., and Pope Alexander III., and its place is taken by "Primrose," which is a land in Dunfermline (p. 425). **Schiram de Gatemilc** is in Kinglassie parish. It continued the property of the abbey till the Reformation. **Petconmarthin**, afterwards called Petconmerk, is now a part of the Raith estate (Reg. de Dunf., pp. 370, 491, 496, 562). **Balekerin et Drumbernin**: the last time these lands are mentioned in the Registrum is in a confirmation by King Alexander III. in 1276. **Keeth**, part of Humbie, in Haddingtonshire (Reg. de Dunf., pp. 68, 96, 97, 106).

Sibillae Reginae, the wife of Alexander I. **Beeth**: in the parish of Dunfermline, where coal was afterwards worked for the abbey, was subdivided into many farms—Bayth Murton, Bayth Stewart, Bayth Keir, Bayth Trimbill. Wester Baith, Nether Bayth, and Bayth under the hill, are also mentioned (Reg. Dunf., pp. 425, 426). Seyer de Quincy gave Beeth Waldef (*ib.* pp. 36, 52, 90); Malcolm de Moravia gave Wester Beeth (*ib.* pp. 54, 120, 121, 122); Alexander de Seton gave Beeth Fleming (*ib.* p. 101).

Dona denique propria. King David added to the gifts of his father and brothers by granting a part of Dunfermline, the part of Kinghorn which lay near Dunfermline, Foeth, the greater Inveresk with the mill and fishings, dwellings in Berwick, Edinburgh, Stirling, Dunfermline, and Perth, the church of the burgh of Perth, and a rent of one hundred shillings from England.

Dunfermlin citra aquam. This seems to give the land on which the church was built; probably until then it was Crown land. **in qua ecclesia**: 'eadem' has been omitted; a clerical error. **Kinghorn**: a parish and burgh on the coast of Fife. The church belonged to the Abbey of Dunfermline (Reg. Dunf., pp. 58, 59, etc.); the abbey had a toft in the burgh (*ib.* p. 32). **Foeth**: a land in Dunfermline parish (Reg. de Dunf., p. 426). **Inveresk major**, etc.: see note to LXXIX.

Ecclesia burgi de Perth. This was the church of St. John the Baptist, to which King Malcolm IV. granted a fishery (Reg. de Dunf., p. 24). The abbey did not treat the vicars sufficiently generously, and the Bishop of St. Andrews had to interfere in 1237 (*ib.* p. 64). In 1440 the abbey and the community of the burgh made certain agreements regarding the church (*ib.* pp. 291, 293, 294, 298, 299). The church remained the property of the abbey till the Reformation. **Inveresc major**: this was Musselburgh, which in after years was the seat of one of the principal Courts of the abbey, and the town and port of a large barony belonging to the abbey. **redditum**

centum solidorum in Anglia. This is not repeated in later charters. It is not stated from what land in England the 100s. were to be paid. I suspect that this is an unauthorised addition by the transcriber.

p. 62. **Defensio regni mei excepta.** The men on these lands were not exempted from the duty to defend the kingdom. They must, when called on, join the army. **Justicia regali.** An appeal and the right of the King to remove a cause from the Abbot's court, if it appeared that justice had not been done, were reserved.

octavam partem de omnibus placitis et querelis meis de Fif et de Fotherif. This was repeated and confirmed by successive kings (Reg. de Dunf., pp. 20, 29, 41, 47, 152). In early days the fines imposed on offenders were divided between the Court which tried the offender, the person who had been injured, and the King or Earl. In the King's Courts, and in other Courts when these dealt with Pleas of the Crown, two-thirds of the fines were paid to the King and one-third to the Earl. In A.D. 1126 and 1230 Alexander II. ordered his sheriff "quatenus Abbati de Dunfermlyn faciatis habere octavam partem quam eum contingit de lucris et finibus quae ad opus nostrum in baillia tua adquiretis" (Reg. de Dunf., p. 44, Nos. 78, 79). In 1339 the Justiciar north of the Forth ordered the Sheriff of Fife to pay to the abbey the eighth part of the fines of Fife and Fothrif (*ib.* p. 259). In 1449, decree by the Lords' Auditors and King's Council in favour of the abbey for the eighth penny (*ib.* pp. 310, 311).

Other abbeys had similar grants; Holyrood had a tithe of the pleas and profits of Courts from Avon to Coldbrandspeth, and half of the pleas of Kintyre and 'de Errogeill' (Holyrood Charter, pp. 5, 6). King David gave to the church of Glasgow the eighth penny of the King's pleas in Cumbria (CXXVI., p. 96). The Priory of Urquhart had a tithe of the pleas of Argyle (Reg. Morav., p. 205).

Can . . . praebendae: payment of rent or in kind, *i.e.* pigs, fowls, cheese, etc., and in grain. **Venationum**: a tithe of the deer and game brought to Dunfermline.

medietatem coriorum. This is one of many grants to monasteries of the surplus of the King's kitchen. The King's apartments were either in, or not far from, the abbey, and it was right to give to the abbey share of the provisions consumed, nor were the monks of Dunfermline to be forgotten when feasts were held at Stirling, and between Forth and Tay. **Can** of a ship, see note to XLVIII.

Seliches: seals caught on the shores of the Firth of Forth at Kinghorn. After a tenth was taken, every seventh seal of the remaining nine was to be given to Dunfermline. Also a tithe of the salt and iron brought to Dunfermline for the King's use.

Siquis: this is an elaborate example of the clause, see note to XXIV.

p. 63. **Testes et assertores, Ed. Comes**, probably "Head" Comes, ante, p. 77, but who he was I do not know. **Constantinus Comes**, of Fife, see note, 246. **Malise Comes** (Strathern), **Rotheri Comes**, **Madach Comes**, see notes to XXXVI. **Gillemichel Mac duf**, note to XXXV. **Herbert the Chancellor**, note to LXVII. **Hugo de Moreville**, note to XXXII. **Robert Corbet**, note to XXXV. **Robert de Monte Acuto**, a witness to the foundation charter of Holyrood, ante, p. 119. He is the only member of the great English house of Montagu who

appears in Scottish records of the time of David I. **Uniet Albus**, note to XX. **Maldouenus**, note to LXVIII. **Maldounus de Scona** (vicecomes de Scon). He was a witness, pp. 77, 86. **Gillepatric Mac Impethin**. He may be of the same family as Gilcolm Mac Chimpethin (Reg. Dunf., pp. 7, 8)

p. 63. **Alwyn Mac Arkil**. It has been stated by many genealogists that he was a noble Northumbrian. He is often called Alwyn filius Archil, but the frequency with which he is styled 'Mac Arkil' makes it probable that he was a Scottish Celt. He appears as a witness (ante, pp. 82, 86, 96, 98, 120, 122, 129, 138, 171, 179, 182, 195). It is doubtful whether he was the ancestor of the Earls of Lennox.

Edwardus filius Siwardi. The question whether this be Edward the Constable and who Siward was has been discussed in the note to the foundation charter of Scon.

LXXV.

In the Reg. Alb. Ebor., P. III., fol. 57. Printed in Dugdale's Monast., VI., iii., p. 1187; No. LIII.; 2 Concil., 215.

King David announces that Thurstan, Archbishop of York, had consecrated Robert, Bishop of St. Andrews, without profession of obedience, saving the claim of York and justice to St. Andrews.

The continuator of Florence of Worcester (an. 1128) writes: "Thurstanus Eboracensis Archiepiscopus, Rodbertum, quem Alexander Rex Scotiae Ecclesiae Sancti Andreae intruserat, petente David fratre ac successore Alexandri in Episcopum Eboraci consecravit; in quo officio Rannulfum Dunholmensem episcopum et quendam Ranulfum ad Orcadas insulas jam olim in Episcopum ordinatum sibi adjutores asciverat. . . . Ab his itaque Rotbertus consecratus nullam ut dicitur professionem de quavis subjectione vel obedientia Ecclesiae Eboracensi aut ejus pontifici facere permissus a Scottis est, licet Eboracensis canonicus erat" (Ed. Thorpe, II, 89; Legend St. And.; Skene, Chron. Pict. and Scot., p. 191; Fordun, Supp., VI., 24.)

p. 64. **Testibus**: **Ranulf**, Bishop of Durham, A.D. 1099-1128. **Radulf**, Bishop of the Orkneys. **Gaufrid**, the third Abbot of York for a year and six months; he died 1132. **Herbert, Abbot of Roxburgh** (Kelso), 1128-1147. **Wold, Abbot of Croyland**, Waldeve or Wlfretelus. Waldeve was Abbot of Croyland from 1124 till 1138, when he was deposed by Alberic the Legate. Ordericus Vitalis (vol. II., p. 289) says that Waldef was the brother of "Gospatric de magna nobilitate Anglorum." M. Prevost in a note, vol. IV., p. 428: "Nous pensons que . . . Waltheof était frère de Cospatric, comte de Dunbar en Ecosse. Voyez sur ce dernier personnage le Monas. Anglican, t. I., p. 400. Ce Cospatrick ou Cospatric possédait de grandes propriétés dans l'Yorkshire. Lui et son frère était probablement fils de Cospatrick Comte de Northumberland en 1069. Il fut deposé en 1138 par le legat Alberic." Waldeve, son of Gospatric and brother of Dolfin

and Gospatric, obtained Allerdale and other lands in Cumberland; he married and had children. It is possible that he became a monk in Croyland Abbey and was abbot for the fourteen years between 1124 and 1138 (see ante, p. 318). **Adelof Prior Sconensi**—the writer has omitted some words—Adelwald was Prior of St. Oswald's at Nostell. Nicolas was Prior of Scone. **Gaulterus de Gaunt.** Ailred, De bello Standardi (Twysden, 337) describes him: "Waltherus quoque de Gant morti jam ultima senectute vicinus, vir mansuetus at pius qui et ipse valdissimam manum de Flandrensibus et Normannis adducens tam sapientia quam pondere sermonum reliquam multitudinem plurimum animavit." **Roger de Eummers,** same as Roger Coyneres in No. LXXVI.

LXXVI.

MS. Cott. Titus A., XIX. Printed by Wharton, A. S., II., p. 237. 2 Concil., p. 215.

Declaration by the Archbishop of York that he had consecrated the Bishop of St. Andrews "sine professione et obedientia." It is almost identical with the preceding declaration by King David. It shows how easily transcribers of charters made mistakes in copying the names of witnesses.

LXXVII.

Registrum de Dunfermelyn, fol. 7 a; Bannatyne Club edition, p. 12, No. 17.

The King informs Malbride Mac Congi that he has granted to the Church of the Holy Trinity at Dunfermline the tithe of his house at Perth. The King gave a tenth of the provisions brought to his house at Perth on a special occasion, probably a feast to which the King was going. In the great charter King David confirmed to Dunfermline the right to half the hides and fat, of all beasts killed for feasts held at Stirling, and between Forth and Tay.

p. 65. **Malbride Mac Congi**: the King's steward at Perth. If, as is likely, he could speak Gaelic only, one would think that instructions to him would have been in Gaelic. Possibly this is a translation.

p. 65. **Uniet Albus** was a frequent witness to David's charters. He may have been one of the King's household, whose duty it was to give orders to the steward at Perth.

LXXVIII.

Registrum de Dunfermelyn, fol. 7 b; Bannatyne Club edition, p. 16, No. 28.

King David informs all his lieges that he has granted to the church of Dunfermline, in alms, a tithe of the gold which may come to him from Fife and Fothrif.

p. 65. **Fothris** is a clerical error for Fothrif.

p. 65. **Auro.** Mr. Dalyell, p. 30, says: "Whence it has been conjectured that gold was formerly found in these districts. It is possible, nevertheless, that it may infer the King's rents or revenues."

p. 65. **Testibus.** The list is carelessly transcribed. The name of the Chancellor is omitted, probably Herbert. **John the Bishop**: his name should have preceded the other two.

Elbotle, with an island in the Forth (now called Fidra), was a barony in the parish of Dirleton, East Lothian. Elbotle, on the mainland, was an old residence of the Scottish kings, and continued to be used till the reign of Malcolm IV., who granted a charter there (Reg. Prior. S. A., p. 201). The castle was called the 'old' castle as early as A.D. 1220. On the island there was a hermitage.

About A.D. 1220 William de Vallibus, Lord of Dirleton, gave the island to the Abbey of Dryburgh, and the church of St. Nicholas on the isle became a cell where the canons of Dryburgh served (Reg. Dryb., pp. 15, 16, 73, 74, 75). Twenty years later Alexander de Vallibus "considerans imminentia pericula temporum quam presentium quam futurorum," released the Abbey of Dryburgh from the obligation of having a chantry on the island; and, instead of it, one canon was to serve and celebrate at Stotfold, and another in the abbey church of Dryburgh, for the souls of the ancestors and successors of the de Vallibus (Reg. Dryb., p. 237, No. 289). Elbotle belonged afterwards to the Homes, and passed to Erskines and Forrests. About the end of the seventeenth century it became the property of the Nisbets of Dirleton, in whose possession it now is.

LXXIX.

Registrum de Dunfermelyn, Bannatyne Club edition, p. 17, No. 30.

King David grants to the Church of the Holy Trinity at Dunfermline the church of Inveresk, reserving the liferent of Nicolas, the priest.

p. 66. **Inveresk** is a parish to the east of Edinburgh, on the Forth. Inveresk minor was given to the church of Dunfermline by Malcolm III. David I. added Inveresk major, with the mill and fishings. He now gives the church, which apparently was a rectory held by Nicolas. The right of the abbey to this church was confirmed by successive kings of Scotland, and by the Pope, and by the Bishop and Chapter of St. Andrews, in which diocese Inveresk lay (Reg. Dunf., pp. 19, 28, 40, 44, 46, 56, 57, 63, 66, 81, 154, 157, 321). At the Reformation the tithe of Inveresk was let for £53 6s. 8d.

LXXX.

Registrum Prioratus S. Andreae, fol. 52 a; Bannatyne Club edition, p. 117. 2 Concil., p. 209; Reeves' Culdees, p. 129.

It is headed in the register: "Perambulatio inter terras de Kyrkness et Lochore"; but that is not a correct title. Nothing is said in this of a perambulation, which, however, may have followed the decree.

It is a contemporary unofficial record of the trial of a complaint made to the King by the Keledei of St. Serf's that Sir Robert Burgonensis had taken possession of a part of the lands of Kirkness. The King ordered a trial.

p. 66. **Robertus Burgonensis miles.** Sir Robert was a frequent witness to charters in the earlier years of King David's reign. M. Merlet suggests that he was the "Seigneur de Sablé 'troisieme fils d'un autre Robert de Bourgignon Seigneur de Sablé qui s'était croisé' en 1096."

Kirkness, originally granted to St. Serf's by Macbeth, and afterwards by Malcolm III. and Queen Margaret. Reeves (Culdees, p. 129) suggested that Lochore belonged to Sir Robert, and that he had wrongfully taken a fourth of Kirkness as part of his land.

Fyf et Fothrithi. These two territories comprised the present counties of Fife and Kinross, and their respective boundaries are shown by the distribution of the parishes in the old Deaneries of Fife and Fothri (Reg. St. And., pp. 32, 33; Reeves' Culdees, p. 129). Kirkness was in Fothri.

in unum locum. The writer does not say where, possibly Dalginch (near Markinch), which was the head place of the earldom of Fife.

p. 67. **Satrapa:** "Chartam Æthelredi regis Angliae post Duces subscribunt aliquot viri nobiles, cum hoc titulo, Satrapa regis. Quae appellatio eadem est forte quae ministri" (Du Cange). **Satelles:** Vasallus minoris dignitatis. **Exercitus de Fyf.** The writer exaggerates the importance of the Earl. The 'exercitus' probably consisted of those who held land in the Earldom on the tenure of military service.

Macbeath thaynetum de Falleland. Macbeath doubtless originally the name of an individual, 'the son of Beth,' became a surname. Mr. Skene recognises Falkland as a thanedom (1 Celt. Scot., 268). It was afterwards a forest and a residence of the kings. **Primicerii:** "Primus cujusque ordinis, dignitas militaris tribuni dignitate proxima" (D'Arnis).

Lumnarchas. Dr. Reeves suggests that this stands for 'limenarchas.' Limenarcha was a port officer; "qui portubus praeest" "commandant du port" (D'Arnis). **Exercitus episcopi:** probably the Bishop's tenants. **Soen, ducem . . . cum familia sua:** some words are omitted in the Register.

Dufgal filium Mocche: Dr. Reeves (Culdees, p. 130) says: "He resembles old Dubhgall of Scone, who is mentioned in the Irish tract on the men of Alba preserved in the Book of Ballynote and MacFirbis Genealogical MS. Old Dubhgall was father of Raingee, whose son Aiscdhe was a progenitor of the Clann Considhe in Bib in Fife. But he occurs far too high in the pedigree, to admit of his being contemporary with King David. See the genealogical table of the Dalriadic kings in Reeves' St. Columba, opposite p. 458."

Meldoinneth filium Machedath. Reeves' Culdees, p. 130, suggests that this is a corruption of Meldomnach. In other charters

he is styled Maldouen Mac Oebeth and Maledoun, son of Macbeth, and 'Maldouen judex.'

p. 67. **Duftah sacerdos et abbas.** Probably a Culdee abbot of St. Serf's.

Douinalde nepos Leod. Reeves' Culdees, p. 130: "Mr. Innes, finding in the Reg. of Dunfermline, a Leod Abbas de Brechin among the lay witnesses to a charter by King David (No. 3, p. 8) and Leod de Brechin similarly placed in the Register of St. Andrews, p. 182, and further meeting with Dovinalde nepos Leod in a composition under King David (*ib.* p. 118), connected them with Dovenald Abbas de Brechyn (in 1212 Reg. Vet. de Aberb., No. 74), and constructed a conjectural succession thus: Leod, Abbot of Brechin, father of Samson, father of Dovenald, Abbot of Brechin. But Dovenald, grandson of Leod, was a cleric and juror in an arbitration at Fife, with which he was locally connected before 1130, whereas Leod of Brechin was his contemporary, and the Dovenald (of Arbroath, 74) makes his grant 70 years later."

Isti sunt clerici. Whether these were witnesses or compurgators is doubtful; if compurgators, they swore to the truth and justice of the complainant's case.

LXXXI.

The original was in the Panmure Charter Chest. It was printed with a facsimile in the Bannatyne Club edition of the Holyrood charters, p. 11, No. 10.

Robert, Bishop of St. Andrews, announces that he has confirmed to the abbot and canons of Holyrood the grant which Leuing made of the church of his 'vill,' saving the rights of the see of St. Andrews.

I suggested the date circa 1128, but it now seems to me that it is of the same date as No. CCLVI., ante, p. 205, which I have assigned to the last years of David's reign, 1150-1153. The charter by Leuing to Holyrood has not been preserved.

p. 68. **Villa de Leuing**, Livingston, a parish in Linlithgowshire of 5360 acres, Leuing was succeeded by his son Thurstinus and he by his son Alexander, the Livingstones of that ilk held the land for many generations. It now belongs to the Earl of Rosebery.

Testibus, T. Archidiaconus is Thoraldus the archdeacon of Lothian. **A. decano** is Aiulfus the Dean. He is a witness, ante, pp. 149, 166, 175, 184, 186, 206, 211, 214. **Magister Thomas, W. Capellanus, Magister H.**, were witnesses to charter, ante, p. 205. **R. de Boilestunea** is Radulf of Boilestune, ante, p. 209.

LXXXII.

Liber de Calchou, fol. 161; Bannatyne Club edition, No. 443. The Registrum Cartarum de Kelso is a MS. in the Library of the Faculty of Advocates, written in the first quarter of the fourteenth century.

The Bishop of St. Andrews grants to the Abbey of Kelso, the church of St. Mary at Kelso and allows the abbot and convent to get 'crisma' and oil and ordination from any Bishop in Scotland or in Cumbria; The date must be between 1127 when Bishop Robert was consecrated and 1131 when Queen Matilda died, probably it was granted in 1128 on the day when the abbey church was founded, in presence of the King and Queen and their son and the Bishops of St. Andrews and Glasgow, an Archdeacon, two Priors, etc.

p. 68. **Robert, Bishop of St. Andrews.** The maps prepared for Mr. Innes in "Scotland in the Middle Ages" and for Mr. Skene represent Kelso as in the diocese of Glasgow, but it lay within the diocese of St. Andrews, the Tweed forming the boundary.

Crisma, *i.e.* "Oleum quod in ecclesia consecratur, Duplex est; aliud enim oleo et balsamo conficitur . . . et eo unguntur qui baptizantur, in vertice et qui confirmantur, in fronte, denique qui ordinantur; Alterum verum est simplex oleum ab Episcopo consecratum quo unguntur Catechumeni in pectore et scapulis et in fronte, antequam abluantur. Infirmi quoque et energumeni eodem oleo unguntur" (Du Cange). All our abbeys were not equally free to select their Bishop. Pope Innocent, in the time of Alexander III., in confirming the privileges of the Abbey of Scon, required it to receive the crisma and oleum, the consecration of altars and churches and the ordination of clerics from their own diocesan Bishop (Lib. de Scon, p. 76).

Adelulfus, Prior of St. Oswald's from 1128-1133 when he was appointed the first Bishop of Carlisle. The other witnesses have been already noticed.

LXXXIII.

In the Registrum Epis. Glasguensis; Maitland Club edition, p. 9, No. 4.

It was granted before Queen Matilda's death in 1131. King David states that he had granted to the church of St. John in the castle of Roxburgh a ploughgate in his demesne of Roxburgh and a full toft and a 'maisura' within the castle and all the offerings of those who dwell within the castle; he orders that one of his chaplains shall have a fourth of the offerings made by the King and his family whenever he is in the castle and a tithe of his brushwood (virgulti) and of the fat of beasts killed when he is in Teviotdale. All these are given in free alms. This was confirmed by Earl Henry, by King Malcolm IV., and by several Popes and Bishops of Glasgow.

p. 69. **The Castle of Roxburgh** was an old residence of the Scottish Kings; round it was the burgh, which was a place of importance until the middle of the fifteenth century, after which it decayed; it is now entirely demolished.

p. 69. **Decimam partem.** This is another instance of a grant of

a share of the surplus of the royal kitchen when the King was in residence in the neighbourhood of a monastery.

p. 69. **Waldef filio Reginae**, the younger son of Queen Matilda by her first marriage to Simon de St. Liz. "A life of Waltheof containing many marvellous stories, was written, about fifty years after his decease, in a continued strain of eulogy, by Josceline, a monk of Furness." "His stepfather, by whom he was much beloved, took him to Scotland in 1124, . . . there he completed his education along with his friend Ailred, afterwards Abbot of Rievalle. . . . He resolved to embrace the monastic life . . . retired to the convent of St. Oswald's at Nostell where he was admitted into the order of Canons Regular of St. Augustine. While he held the office of sacristan in that monastery he was called by the unanimous voice of the canons in Kirkham to be their Prior. . . . The excellent order and discipline maintained at Kirkham . . . brought the virtues of Waltheof's character so much into notice that when the see of York was vacant the clergy would have elected him Archbishop if they had not been prevented by King Stephen. . . . (Waltheof) resigned the Priorship and retired into the Cistercian convent at Wardon in Bedfordshire, where he began his novitiate in that order greatly to the displeasure of his brother Simon, Earl of Northampton, who . . . endeavoured . . . to deter him from it. . . . Waltheof removed to the monastery at Rievalle. He continued at Rievalle till the year 1148 when he was elected Abbot of Melros. . . . Upon the death of Robert, Bishop of St. Andrews, in 1159, Waltheof was unanimously fixed upon to succeed him; but he declined. He died in August, 1159, and was buried in the Chapter House at Melrose."

LXXXIV.

Registrum de Dunfermelyn, fol. 7 b; Bannatyne Club edition, p. 17, No. 31.

King David grants to the church of Dunfermline and the monks serving there exemption and freedom from all work on castles and bridges and other like work.

Malcolm IV. repeated this (Reg. Dunf., p. 27) with the addition "quare prohibeo ne ab illis exigatur nisi abbas et monachi spontanea voluntate illud facere voluerint." Kings William and Alexander II. and III. (pp. 30, 42, 48) confirmed it as a privilege granted by King Malcolm IV. King William: "Sciatis quod quando firmare feci castella mea in Ros. homines abbatis et monachorum de Dunfermelyn ad petitionem meam de bona voluntate sua operati sunt cum aliis probis hominibus meis ad eadem castella firmanda. Quare volo et precipio quatenus hoc quod illa vice ad petitionem meam inde fecerunt non trahatur in exemplum quare aliud in posterum in talibus facere debeant quam fecerunt tempore meo et temporibus antecessorum meorum . . ." (*ib.* p. 32). It is probable that the liability to repair castles and bridges was laid on all lands in Scot-

land in early times. In the notitia of a grant of Kirkness by Macbeth and Gruoche, King and Queen, occur the words "sine refectione pontis," but similar exemptions are rare.

p. 70. **Strathyrewen in Galwegia.** This cannot, I think, be Irvine in Ayrshire. I am not able to identify the place.

LXXXV.

Registrum de Dunfermelyn, fol. 7 a; Bannatyne Club edition, p. 13, No. 18. Granted before 1128, when the monastery buildings were still incomplete, probably at the same time as No. LXXXIV.

This is addressed to Constantine and to the men of the church of Dunfermline who seem to have refused to render to the church its dues and to have hindered the building of the monastery. It orders the King's 'praepositus,' Swain, not to suffer this neglect; he must assist the Prior so that the church may get from its tenants as much as the King gets from his men.

LXXXVI.

Registrum de Dunfermelyn, fol. 6 c; Bannatyne Club edition, p. 10, No. 8.

Mandate to the Sheriff and 'praepositi' of Stirling to pay to the Abbot of Dunfermline a tithe of the pennies of the King's census of Stirling, to be paid as the pennies come in. Granted after A.D. 1128 when Dunfermline became an abbey. King David gave 20s. from the rent of Stirling to the Abbey of Holyrood (ante, p. 117) and 40s. from the same rent to the Abbey of Cumbuskenneth (pp. 140, 142).

LXXXVII.

Registrum de Dunfermelyn, fol. 6 b; Bannatyne Club edition, p. 11, No. 13.

David, King of the Scots, to all the liegemen of his realm, greeting. Know that I have given and granted to God and to the church of the Holy Trinity at Dunfermline and to the Abbot and monks serving God there all rights from all ships which touch at the port of Inveresk and anchor on their land, reserving my toll, if the merchants of the ships sell their goods there or if they buy other goods within my land to take with them.

p. 72. **Testibus.** Thor son of Swain (ante, pp. 175, 186) is Thor de Travernent (ante, pp. 59, 123) and probably Thor vicecomes (ante, pp. 122, 164).

LXXXVIII.

Registrum de Dunfermelyn, fol. 6 b ; Bannatyne Club edition, p. 12, No. 14.

David the King, addressing all his liegemen, states that he has exempted from all the King's customs the ship of the Abbot of Dunfermline and all that it contains.

This seems to be an order relating to the arrival and clearance of a particular ship. It did not apply to all their ships in future.

LXXXIX.

The original is in the Treasury at Durham. The seal is missing. Printed in Raine, N. Durham, App. 4, No. XVII.

King David states that, in his presence at Roxburgh, the Bishop of St. Andrews had summoned Algar, Prior, and Roger, sub-Prior of Durham, before the door of the church of St. John the Evangelist at Roxburgh and had declared that he had no claim on the church of Coldingham and conceded that it should be free from all custom and service, save only obedience to the Bishop. The King added his confirmation.

This refers to the concession by the Bishop of St. Andrews (No. LXXIII., ante, p. 59). The confirmation by the King followed soon after. This should have been printed next after No. LXXIII.

p. 73. **Testibus.** The witnesses have been noticed in previous notes.

XC.

The original is in the Treasury at Durham. Raine, N. Durham, App., p. 4, No. XIV.

It was granted probably on the same day as No. LXXXIX. The witnesses are the same. There had been a dispute as to the boundary between the lands of Coldingham and of Bonkyl, and the King himself 'cum probis hominibus' perambulated the bounds from Middlehead by Mereburnhead towards the west as far as Crachoctre and then by the same road to Eiford. The King declares these to be the true marches.

p. 73. **Bonkyl** is now called Buncle, a parish in Berwickshire to the S.W. of Coldingham. Bonkyl belonged to the Bonkyls of that ilk. The daughter and heiress of Sir Alexander de Bonkyl (circa A.D. 1288) married Sir John Stewart ; their descendants the Earls of Angus held Bonkyl, and from them, the lands have descended to the Earl of Home.

XCI.

Registrum de Dunfermelyn, fol. 6 b; Bannatyne Club edition, p. 11, No. 12.

King David, addressing all his liegemen of Lothian, announces that he has granted to the church of Dunfermline a ploughgate of arable land in Craigmillar and the houses in which the wife of Roger Cass lived, reserving her liferent.

I ascribed this to circa 1130, though I do not know in what year John the Bishop was chancellor, indeed I doubt whether he ever was chancellor. The name of the chancellor may here have been omitted.

p. 74. **Craigmillar** is in the parish of Liberton, a few miles S.E. of Edinburgh. It is distinguished by the ruins of a castle built in the fourteenth century by the Prestons.

p. 74. **Roger Cass.** Nothing is known of him and his wife. Long afterwards there were people of the name of Cass, feuars of Monkton-hall and other places under the Abbey of Dunfermline.

XCII.

The original is in the Panmure Charter Chest. Printed in the Bannatyne Club edition of the Holyrood Charters, p. 7, No. 2.

Robert, Bishop of St. Andrews, addressing all the sons of the Holy Mother church, gives his episcopal blessing and announces that he, with the assent of his chapter, confirmed all the grants which King David made in alms to the church of Holyrood, viz. the church of the Castle with a willow plantation, the church of St. Cuthbert, the church of Crostorfin with two bovates and six acres, the church of Ereth and two ploughgates and a saltpan with twenty-seven acres, the church of Livingstone with half a ploughgate, the church of Hamere and Hamera and Forda. Also Broctuna and Inverlet and Petendreia with a general confirmation of everything which the King gave, reserving the dignity and rights of the Bishopric.

This was granted before King David gave the great charter to Holyrood, from which it differs in some details.

For the churches and lands here mentioned, see the note to the King's charter to Holyrood, No. CLIII.

XCIII.

The original is in the Panmure Charter Chest. It was printed in the Charters of Holyrood, p. 8, No. 5.

Granted about A.D. 1130. It is a mandate to the Bishop of St. Andrews and to the Sheriff and all the liegemen of Stirlingshire to see

that the Abbot of the Holy Rood of Edinburgh shall enjoy all the customary rights in Heret (Airth), which belong to that church, as fully as when the King had it in his demesne.

Heret: Airth, a parish in Stirlingshire of about 6400 acres. In the confirmation by the Bishop of St. Andrews (ante, p. 74) it is stated that two ploughgates and a saltpan with six acres belonged to the church.

XCIV.

Registrum de Dunfermelyn, fol. 7 b; Bannatyne Club edition, p. 16, No. 29.

King David confirms the right of the Abbey of Dunfermline to the shire of Kirkcaldy, which had been granted to the church of Dunfermline by Malcolm III. and Queen Margaret, and had in later years been withheld from the abbey by force by Constantine, Earl of Fife, who died about 1129. If his heirs made a claim to Kirkcaldy, the monks need not answer but possess in peace.

p. 76. The shire or parish of **Kirkcaldy** included Abbotshall, Dunikier, Raith, etc., and the burgh.

Testibus. The witnesses have been noticed in previous notes.

XCV.

This is on fol. 4 of the MS. Book of Deer, Spalding Club edition, p. 93, with facsimile, Plate V.

The Irish is: "Dorat Gartnait acus ingen gillemicel báll dómin ipet ipáir do Crist acus do Colimcilli acus do drostan. Teste Gillecalline sacart acus feradac Mac Malbrícin acus Málgirc Mac tralin."

Following the authorities, I call this a grant to the church of Deer, but Deer is not named, it is a grant to Christ, to Columba, and to Drostan.

p. 77. **Gartnait and the daughter of Gillemichel** are probably the same as Gartnait son of Cainnech and Ete daughter of Gillemichel, who are the donors in charter No. XCVII. (ante, p. 78), circa A.D. 1132. It has been said that Gartnait is Gartnach Comes, a witness to the Foundation Charter of Scon. Here, however, he does not style himself Comes, which surely he would have done had he been an Earl since the days of King Alexander I.

The lands **Ball Domin** and **Pet Ipáir** which Gartnait and the daughter of Gillemichel gave have not been identified. Spuir is a clerical error for Ipáir.

From the word '**Teste**' it seems probable that the writer of the 'Notitia' had before him a Latin charter, an abstract of which he wrote in Irish.

XCVI.

The original is in the Panmure Charter Chest. Printed in the Charters of Holyrood, Bannatyne Club edition, p. 8, No. 4.

King David, addressing all his liegemen in the shire of Edinburgh, prohibits the seizure of grass, turf, etc., on the land which he had given to the canons of Holyrood.

XCVII.

From the Book of Deer MS., fol. 4, Spalding Club edition, p. 93.

The Irish is: "Gartnait mac Cannech acus Éte ingen gillemichel doratsat pet mec cóbrig ricosecrad éclasi crist acus petir abstoil acus do columcille acus do drostan sér ónáhulib dolodib cónánascad dó cormac escob dunicallenn inocmad bliadi rigi da. Testibus istis néctan escob Abb . . . acus leot ab brécini acus máledoune mac meic bead acus álgune mac árcill acus rúadri mormar márr acus matadin bríthem acus gillecrist mac cormaic acus malpetir mac domnaill acus domongart ferleginn turbruad acus gillecolaim mac muredig acus dubni mac malcolaim."

Mr. Skene and G. E. C. agree that **Gartnait** was mormaer of Buchan, but they differ as to how he attained that dignity. Mr. Skene (Celt. Scot., 3, p. 56) holds that he was the son of Cainneach and grandson of MacDobharcon, mormaers of Buchan; while G. E. C. says that Gartnait derived his title "through his wife Ete daughter of Gillamathil."

p. 78. **Pet-mac-Cobrig.** Mac is a clerical error for 'Mec.' No place in the district now bears a like name. This grant purports to have been made on the occasion of the dedication of a church to St. Peter, which Mr. Skene supposed marked a change in the constitution of the Abbey of Deer, bringing it in conformity with Rome; but this notitia does not name Deer and the mention of St. Peter cannot safely be held to mark any change.

With the gift to, or, as Dr. Robertson translates it, 'and bound to,' Cormac, Bishop of Dunkeld. There is no other record of any connection between Dunkeld and Deer.

The eighth year of King David's reign was 23 April, 1131, to 22 April, 1132.

These are the witnesses: in the MS., 'Testibus istis.' The writer had before him a Latin charter, of which he gave an abstract or translation in his own language.

Nectan, Bishop of Aberdeen. The see of Aberdeen was founded about 1125 (Preface to Reg. Epis. Aber., p. 19; 2 Concil., 154). Nectan was the first Bishop (charter CXVI., p. 89).

Leot, Abbot of Brechin. Leod de Brechin, or Leod Abbot, is a witness to several charters. Mr. Cosmo Innes says that by the time of David I. the Abbey of Brechin had been secularized, and the Abbot was a layman, taking his rank among the lay lords.

Maledoun son of Mac Bead (Mac Meic Bead). He was probably the same as 'Maldouenus mac ocbeth,' witness to the great charter to Dunfermline, LXXIV., p. 63, and as Meldoinneth son of Machedath, 'judex bonus et discretus,' LXXX., p. 67.

Algune mac Arcill, the same as Alwyn mac Arkil, see note, p. 337.

Ruadri, mormaer of Marr. Mr. Skene thinks that Ruadri is the same as 'Rothri Comes' of the Foundation Charter of Scon. Morgrund is the earliest Earl of Mar on record.

Matadin the Brehon: "Matadin brithem." This, so far as I know, is the only mention of a Brehon in Scotland. It is a Welsh word. Robertson, Early Kings, I., p. 26, note, and p. 237.

Domongart Ferliginn. Skene (2 Celt. Scot., p. 446) says: "Ferleighinn lector, or man of learning, in the monasteries. . . . We find him at Iona in 1164, when the *Ferleighinn Dubside* appears among the prominent functionaries of the monastery. In the following century the name of Ferleiginn is still preserved in connection with the church of St. Andrews and its schools." (Reg. Prior. S. And., pp. 317, 318; Dr. Joseph Robertson, Scholastic Offices in the Scottish Church, pp. 26, 27.)

Turbruad: is supposed to be **Turriff.**

XCVIII.

In the Register of the Priory of Holy Trinity, London.

King David grants, for the weal of his own soul and for the souls of his sister, Matilda the Queen, and of his wife, Matilda the Queen, and of all his ancestors, the church of Toteham to the canons of the church of the Holy Trinity in London.

p. 78. **Gilbert, Bishop of London.** Gilbert Universalis, a canon of Lyons, was consecrated Bishop of London on 22 January, 1128. He died in 1134.

Toteham, Tottenham, see note, p. 306.

The Priory of the Holy Trinity in London was founded by Queen Maud, wife of Henry I. and sister of David I.

Waltero a 'Espec, Lord of Werk, was a great English baron. He founded Kirkham Priory, in Yorkshire, in 1122, while he endowed, with the village and church of Carham, the church of Newton in Glendale, the church of Ilderton, etc. He also founded and endowed Rievalle, in Yorkshire, in 1132, and Wardon, in Bedfordshire, in 1136. He took a leading part in opposing King David in 1138.

Ailred, Historia de Bello Standardi, Twysden, 337: "Affuit et Walterus Espec vir senex et plenus dierum, acer ingenio, in consiliis

prudens, in pace modestus, in bello providus, amicitiam sociis, fidem semper regibus servans. Erat ei statura ingens, membra omnia tantae magnitudinis, ut nec modum excederent et tantae proceritati congruerent. Capilli nigri, barba prolixa, frons patens et libera, oculi grandes et perspicaces, facies amplissima, tractitia tamen, vox tubae similis; facundiam quae ei facilis erat, quadam soni majestate componens. Erat praeterea nobilis carne, sed Christiana pietate nobilior.

Nempe cum liberis careret haeredibus, licet ei nepotes strenui non deessent, de optimis tamen quibusque possessionibus suis Christum fecit haeredem. Nam in loco amoenissimo Kircham nomine monasterium regularium condidit clericorum, multis illud donariis ornans et ditans possessionibus, insuper et palatia sua, thalamos suos, cellaria sua in servorum Christi habitacula commutans.

Cisterciensem quoque ordinem cujus vix famam audierat Anglia, favente sibi glorioso rege Henrico in has partes advexit, suscipiens fratres de monasterio nobilissimo Clarevallis per manum Deo dilecti abbatis Bernardi. Qui venientes in Angliam anno ab incarnatione Domini MDXXXII. nacti locum in valle profundissima super ripam Riae fluminis, unde ipsum monasterium Rievallis nomen accepit, multos suae religionis fama ad optimorum studiorum aemulationem incitaverunt, unde in brevi multiplicati super numerum, plurima in regno utroque, Angliae scilicet et Scotiae coenobia condiderunt.

Nam praedictus Walterus, nec dum tantis satiatus beneficiis, in territorio Wardunensi famosissimum per eosdem fratres fundavit monasterium. Porro eodem anno adventus eorum in Angliam quidam monachi de ecclesia Beatae Mariae Eboracensi Cisterciensem puritatem et paupertatem zelantes, auxilio freti venerabilis Turstini Archiepiscopi, relinquentes divitias et delicias monasticae puritati contrarias, maxima paupertate, miro favore VI. Kal. Januarii Fontanense Coenobium creaverunt.

. . . . . .

Haec autem omnia bona quis debitet viro illi strenuissimo ascribenda, tantorum fructuum semen deprocul advexit et locum in quo seminaretur invenit. Hic igitur cum ab universo exercitu, tum propter aetatem tum propter sapientiam patris more coleretur, ascendens machinam quam circa regium signum fabricaverant, supereminens universo populo ab humero et sursum, hac oratione dejectos quadam formidine erexit animos, promptos acrius inflammavit."

Ailred records a spirited speech by Walter Espec, ending: "Sed quid moror? Certe aut vincendum nobis est, aut moriendum. Quis enim victoriae Scottorum se velit esse superstitem, ut videat uxorem suam Scottorum subjacere libidini, parvulos suos lanceis perforari." At the end of the battle, when the English were victorious, "Sane Anglorum duces omnes sani incolumesque reversi et circa Walterum Espec, quem ducis et patris loco venerabantur conglobati, immensas gratias Deo omnipotenti pro insperata victoria retulerunt."

Walter Espec took the religious habit in the Abbey of Rievalle two years before his death, which happened in 1153.

XCIX.

The original charter is in the Treasury at Durham. The seal is missing. Raine, N. Durham, App., p. 5, No. XVIII.

King David addressing all his Bishops, Earls, etc., announces that he has granted to the monks of St. Cuthbert the church of St. Mary at Berwick in exchange for the church of Melrose.

Melrose was an ancient possession of the monks of St. Cuthbert, and when the King gave it to the Cistercians he compensated Durham by giving the church of St. Mary at Berwick. There were two churches in Berwick: that of St. Mary, granted to Durham, and that of St. Laurence, which was endowed (ante, p. 148) and was granted to the Abbey of Kelso (CXLIV., p. 157).

p. 79. **Testibus**: most of the witnesses have been already noticed. **Estmundus clericus**: compare 'Estmundus elemosinarius,' ante, p. 108. **Gualera, the chaplain**, ante, p. 75. **Robert Grimbal**: compare Grimbauld, p. 51, and Grimbald, p. 52.

C.–CI.

The originals are in the Treasury at Durham. They were printed by Anderson, Independence of Scotland, p. 54. No. C. was printed in Douglas' Baronage, p. 127. Both were printed by Raine, N. Durham, App., pp. 3, 4, Nos. XII., XIII. There are facsimiles in the National MSS. of Scotland. Genealogist, Vol. XV., p. 133.

I have given too early a date. Earl Duncan, a witness, did not succeed to the earldom before 1136.

No. C.

David, King of Scots, and Henry his son, addressing all the sheriffs and all the barons, French and English, announces that he has given to this fellow, Hernulf his soldier, Swinton in feu to him and to his heirs, with all the men and their property, to hold as freely and honourably as any of the King's barons hold, and by the same rights as Liulfus the son of Edulf and Udard his son held, of St. Cuthbert and of the King, paying forty shillings to the monks of Durham without any other services.

No. CI.

David, King of Scots, addressing all his earls, barons, sheriffs, officers, and all his lieges, cleric and lay, announces that he has granted to that fellow Arnulf, his soldier, the whole land of Swinton

with the cattle and the men, etc., in feu and heritage to himself and his heirs as freely and honourably as Udard the sheriff held it, by the same service to the monks of Durham as Udard performed.

Of the nine witnesses to No. C. four are witnesses to CI. The first was granted at Haddington, the second at Traquair.

I am not sure that these charters are genuine. I suspect that they were forged by the monks to support the claims of the church on the land of Swinton. Swinton was granted to Durham by King Edgar by charter (XX., p. 17) in terms which imply that the monks were not to be merely the overlords: they were to possess, and twenty-four oxen were given to them to cultivate the land; but it is plain that in the reign of Alexander I. the right of the monks was disputed (charters XXVI., XXVII., XXIX., XXX., ante, pp. 21, 22, 23). King David confirmed the rights of Durham in Swinton, and Earl Henry specially confirmed King Edgar's charter (CLXXVII., p. 138), so that it seems strange that by these charters King David should grant Swinton in feu to Hernulf. It may be that Edulf, Liulf, Udard, and Hernulf all held Swinton under the Priory of Durham, and that these two charters, C. and CI., are confirmations of grants by the church, though I doubt whether they can be so read. If Hernulf held, adversely to the monks, as the heir of Udard, it would have been to the advantage of the priory to have charters from the King, nominally in Hernulf's favour, which contained a distinct obligation on him to hold under the church. The monks must have considered these charters as confirming their right, else why were they kept at Durham? indeed, how came they to have them? If genuine the charters should have been in possession of the grantee. It strikes me as suspicious that there are two charters with certain differences, as if the monks had made two experiments in forgery. Having expressed this doubt, I must treat these charters as genuine. They are granted to Hernulf and Arnulf, who were certainly the same man. He is somewhat contemptuously spoken of "huic meo militi" and "isti meo militi." By 'miles,' I think, is meant a soldier, not one on whom the honour of knighthood had been conferred—he was probably one of the King's Drengs.

Sir George Sitwell drew attention to the expression "sibi et heredi suo" as meaning a lease for two lives; but that is not the meaning in Scottish law: a grant to a man and his heir is not limited to the first heir, but extends to heirs for ever; and in the charter CI. the grant is to Arnulf "in feudo et in hereditate sibi et heredibus."

There has been much discussion as to whether Hernulf was a son of Udard and grandson of Liulf; it is not certain that he was related to them. Genealogists have taken for granted that Hernulf was the

ancestor of the family of Swinton of that ilk, but there is not sufficient evidence for that assertion. The descent of Sir Alan de Swinton (who lived in the end of the twelfth century) from Hernulf has not been proved; it was not until the fifteenth century that Sir John de Swinton, the ancestor of the family, acquired the barony, half of it by purchase from the daughter and heiress of Henry de Swinton and half by charter from the Priory of Coldingham. It is probable that Sir John was one of the old family; but he possessed by purchase, not by inheritance.

p. 80. **Liulfus filius Edulfi et Udardus filius suus**, and in the CI. charter 'Udardus vicecomes.' I am unable to concur in identifying Liulf son of Edulf with Liulf of Bebbanburgh, and I think that it is not proved that 'Udardus vicecomes' was sheriff of Northumberland.

Consule. Consul is not uncommonly used for comes. Maduc is supposed to have been Earl of Athole.

Radulf Nuuel. He was not Radulf Novellus (Twysden, 1713), a priest in the church of St. Peter's at York, who was consecrated Bishop of the Orkneys by Thomas, Archbishop of York, and who took part in the Battle of the Standard. "Stans, in eminentiori loco, cum populo preliandi necessitatem in remissionem peccatorum indixisset, tundentes pectora, erectis manibus divinum auxilium precabantur. Factaque super eos absolutione, episcopus benedictionem solempni voce adjecit, cunctis altera voce respondentibus, Amen, Amen" (Ailred, Twysden, 345). John Brompton (Twysden, 1026) gives a long speech which he then made to the soldiers. Radulf, Bishop of Orkney, was a witness to the declarations by King David and by the Archbishop of York regarding the consecration of the Bishop of St. Andrews (ante, p. 64).

Marsel Marmiun. Marmion was a well-known English family. I do not find any of the name of Marsel mentioned in records.

CII.

This is taken from Haddan and Stubbs, 2 Concil., p. 26, and the reference there is to Reg. Alb. Ebor., P. I., fol. 52a. It is printed in VI., Dugdale, Monast., p. 118, No. 50.

It is a letter from Pope Innocent II. to John, Bishop of Glasgow, reminding him that he had been consecrated by Pope Paschal (saving the rights of the Archbishop of York), and that Pope Calixtus and Pope Honorius had ordered him (Bishop John) to render obedience and reverence to Thurstin, Archbishop of York, as to his Metropolitan; but though the Bishop had promised to do so, he had not fulfilled his promise. Now the Pope orders him without further delay or pretence to obey the Archbishop. Written at Auxerre, 29 November,

1131. Haddan and Stubbs (2 Concil., p. 26) say, "A letter to the same effect was sent the same day to the Scottish Bishops in general." Honorius II. died 13 February, 1130, on 14 February, 1130, Cardinal Gregory was declared Pope as Innocent II., and a son of Pierleone as Anaclete II. Innocent II. secretly took ship and escaped to France, where his protector was Bernard, Abbot of Clairvaux. He returned to Rome in 1133, but again fled from it in August of that year. Pope Anaclete died 25 Jany., 1138, and Pope Innocent II. was then recognised as Pope at Rome.

CIII.

From the Registrum de Dunfermelyn, fol. 7 b, Bannatyne Club edition, p. 15, No. 27.

The King received annually from the tenants or vassals of Crown lands in Fife, Fothrif, and Clackmannan, flour, cheese, money in lieu of food, barley for brewing, pigs, and cows. This mandate orders the King's stewards to give to the monks of Dunfermline the tithe of this 'can' when the produce was received; their share was to be set apart before the remaining nine-tenths were sent to the King. Possibly the holders of Crown lands in Fife and Fothrif had to send 'can' only when the King was at Dunfermline. One reason why the Kings of Scotland frequently moved from place to place and had no fixed capital was that a considerable part of the royal revenue consisted of supplies due in different parts of the country. The tenants were not bound to send their quota beyond their district, or at least not to a great distance, and here the King seems to anticipate that the 'can' from Fife, Fothrif, and Clackmannan shall be delivered to his stewards, to be sent by them to Dunfermline when he is in residence there.

In the Great Charter to Dunfermline (No. LXXIV., p. 62) the grant is: "Omnem decimam totius mei can quod afferetur ad Dunfermelin et omnem decimam praebendae quae afferetur ibidem de Fif et de Fotherif," and in the later charter (No. CCIX., p. 169): "Omnem decimam totius mei can et brasei de Fif et Fothrif exceptis rectitudinibus quae Abbaciae Dunkeldensi pertinent."

p. 81. **Fife and Fothrif**: these two territories comprised the present shires of Fife and Kinross. The respective boundaries survived in the deaneries of Fife and Fothrif, the latter was the south-western portion. (Reg. Prior. S. And., pp. 32, 33; Reeves, Culdees, p. 129.)

p. 82. **Philippus camerarius**. I think that this is a mistake of the monk who transcribed the charter in the reign of William the Lion when Philip was chamberlain; he wrote that name instead of 'Herbert.'

CIV.

Registrum Episcop. Glasguensis, Maitland Club edition, p. 10, No. 6.

King David grants the church of Govan to the church of St. Kentigern of Glasgow. Date, after 1128, when Gaufrid and Herbert became abbots of Dunfermline and of Roxburgh, and before 1136, when Herbert ceased to be chancellor. It should have preceded No. CIII., because in this, Gillemichel seems to have not yet succeeded to the earldom of Fife.

p. 82. **Govan** lay on the south of the Clyde. From this charter and from CIX, p. 85, it seems that Govan and Partick were separate manors. Govan at this time was in the King's hands, the church was dedicated to St. Constantine, who it is said founded a monastery there, where he was buried after suffering martyrdom in Kintyre. Govan was made a prebend of the Cathedral by Herbert, Bishop of Glasgow, by a charter which Mr. Cosmo Innes dated between 1147 and 1153. I have not printed it in the text because it seemed to me that it was granted after the death of King David, I give it now.

"Herbertus Dei gratia Glasguensis Episcopus Universis, etc., Salutem.

"Sciatis me dedisse et concessisse et episcopali auctoritate confirmasse, Helpo clerico meo in liberam et quietam elemosinam unam praebendam in ecclesia Sancti Kentigerni de Glesgu, ecclesiam de Guvan cum omnibus ecclesiasticis rectitudinibus eidem ecclesiae pertinentibus et insulas inter Guvan et Perthec et illam partem de Perthec quam David Rex Scotiae dedit in dotem ecclesiae de Glasgu in ejusdem dedicatione et aliam partem de Perthec quam idem Rex David postea dedit praedictae ecclesiae de Glesgu et Johanni episcopo ejusque successoribus in liberam et perpetuam elemosinam, pro salute animae meae et animarum antecessorum meorum, quam partem prius ad praebendam non pertinentem pro augmento honoris et dignitatis ecclesiae meae praedictae praebendae augeo, dono et perpetualiter confirmo cum insulis adjacentibus et piscinis. Ita libere et quiete, etc., sicut antecessor suus tenuit liberius, etc., et cartae successorum episcoporum penitus testantur et confirmant (Reg. Epis. Glasg., p. 11, No. 7).

Testibus . . . Alwinus Rennere. He and his wife, Eda, granted the church of Newton to the Abbey of Dunfermline (No. CCXXVIII., p. 184). He was a witness to a charter of Robert, Bishop of St. Andrews (No. CCXXX., p. 185). There was a Gillexus Rennerius in the reign of William the Lion (Reg. de Dunf., p. 36).

CV.

From the Registr. de Dunfermelyn, fol. 6 b, Bannatyne Club edition, p. 12, No. 15.

This is an order by the King, addressed to the Earl and all the

liegemen of Fife, that the men of Nithbren, of the Abbey of Dunfermline, shall not be subject to the jurisdiction of any other Court than that of the Church of the Holy Trinity and the Abbot of Dunfermline, the King's judge of that province shall be present, in order that justice be done.

p. 83. **Nithbren** is Newburn, a parish in south-east Fifeshire. The vill was granted to Dunfermline by David I., with the consent of Earl Henry, his son, on the day when the Church of the Holy Trinity of Dunfermline was dedicated. (CCIX, p. 167 ; CCXXIV., p. 181.)

In curia S. Trinitatis. 'Ecclesiae' has been omitted by the writer of the register.

Judex meus. Probably the Earl of Fife. Earl Constantine was called "Judex discretissimus."

Apud Scona. Clerical error for 'Sconam.'

CVI.

Taken from Raine's N. Durham, App., p. 6, No. XXIV., in the Small Chartulary of Durham. The original is lost.

King David grants to the church of St. Mary at Coldingham a fishing in the Tweed at Fishwick.

I have ascribed it to circa 1135, but perhaps it is of later date than charter CCXXXVI., p. 181, for when this was granted, Swain's possession of Fishwick was at an end.

p. 83. **St. Mary of Coldingham.** It is to be noticed that this is not a grant to the Priory of Durham, but to the church of Coldingham. The Priory of Coldingham had not yet, I think, been established.

quam . . . fecit et a saxis liberavit means, that he had cleared away rocks which interfered with the drawing of the nets.

[presbyter]. Dr. Raine says that the word 'pecunia' in the chartulary has been erased and 'piscat' inserted. He suggested 'piscator.' I think 'presbyter' is the better reading (see CCXXXVI., p. 189). Swain, the presbyter of Fishwick, held the lands of Fishwick, and was a man of note and importance in his day.

Fishwick was granted to the monks of St. Cuthbert by King Edgar (charter XXII., p. 18), confirmed by King David (charter LXV., p. 55), and afterwards by Earl Henry (CCXXXVI., p. 189), and by King William the Lion (Raine, N. Durh., Appendix, No. XLVI.).

CVII.

In the Book of Deer.

This is the last of the Irish writings in the 'Book.' Bradshaw was of opinion that it was written shortly after the death of David I. Mr. Whitley Stokes said: "Its handwriting is certainly more modern than that of the other Gaelic documents." From the words 'his

testibus' it seems probable that it is a translation of a Latin charter. It would not be safe to conclude that in the middle of the twelfth century there was a Mormaer of Buchan and a Toisech of a Clan Morguinn, for these may be the Irish words which the writer thought were the nearest in meaning to the titles in Latin. What does this entry mean? Is it a confirmation of the lands and privileges of the churches of St. Drostan, or is it a grant by Colbain and Eva and Donnachac of new privileges? The transcriber or translator omitted to give the names of the lands and of the church to which the lands were granted.

p. 84. **Colbain Mormaer of Buchan** (Colbain mormaer buchan). Colbain is not mentioned in any other record. G. E. C., in the Complete Peerage, under Buchan: "A.D. 1135 (?) Eva, daughter and heir of Gartnach, married Colban, who in her right became Earl of Buchan." Colbain is not styled Earl; and when in 1170-1179 Roger, Earl of Buchan, confirmed to the keledei of Monymusk (Reg. Prior. S. And., p. 370) the grant of Gartnach "avus meus," he does not mention his father Colbain. (Skene, Celt. Scot., 3, p. 288; Reeves, Culdees, p. 135; Robertson, Coll. Aberdeen and Banff, 172.) Mr. Skene gives the pedigree:

Macdobharcon
|
Cainnech Gillemichel
| |
Gartnait = Ete
|
Eva = Colbain
|
Roger, Earl of Buchan.

Donnachad son of Sithig, chief of Clan Morguinn (toisech Clenni Morguiun). The man and the clan are unknown.

For a share of four davochs, etc. The original is: "Apstal onahulib dolaidib archuit cetri dabach do ni thissed arardmandaidib Alban cucotchenn acus arardchellaib," which is supposed to mean that the payments or services due by this church were restricted to the amount due by the owner of four davochs, although the church had a larger extent of land. Colbain, and Eva, and Donnachac doubtless dealt only with dues exigible by themselves. They do not profess to act for the King. The sentence is obscure; I doubt whether the writer knew the meaning of the original which he was translating.

Testibus. Several of the witnesses appear in other entries in the Book of Deer. **Brocein** (Brocin) and **Cormac Abbot of Turbruaid** appear in CCXXII., ante, p. 181. I do not know that there is any record of a monastery at Turriff, except in this 'Book.' Domongart Ferliginn of Turbruad is a witness (XCVII., ante, p. 78). In 1272 Alexander Cumyn, Earl of Buchan, founded a 'domus elemosinarum' at Turriff, which was dedicated to God and to St. Congan. In his charter mention is made of a "via monachorum," which may refer to an old religious house. (Reg. Epis. Aber, I., pp. 30, 31.)

Morgann son of Donchad, etc., is a clerical error for Donnchad. Possibly Donnchad was the chief of Clan Morguinn, one of the granters. **Malaechin**. I know of no other record in which the name appears. **The two sons of Matne**. Gillendrias Mac Matni is a witness to CCXXIII., p. 181. **The nobles of Buchan**. The original is "acus Mathe buchan." **Elan** is Ellon, the principal messuage (caput) of the earldom of Buchan.

CVIII.

Registrum de Dunfermelyn, fol. 6 b; Bannatyne Club edition, p. 10, No. 10.

Grant by King David to the church of Dunfermline of the fishing called Aldestelle, and all that belonged to it, and of a toft in Berwick, free from all services. The grant of the 'tractus de Aldestelle' was confirmed by King David (CCIX., pp. 167-169), King Malcolm (Reg. Dunferm., p. 20), King William (*ib.* p. 29), King Alexander II. (*ib.* p. 41), King Alexander III. (*ib.* p. 47), Pope Alexander III. (*ib.* p. 152), King James II. (*ib.* p. 322).

In the reign of King James III., A.D. 1467, there was an Inquisitio regarding the fishing of the Aldstell belonging to Dunfermline and the fishing of the Calate belonging to the King. (Reg. Dunf., p. 358.) King David gave the abbey a mansura in Berwick, probably the same as this toft.

p. 85. **Testibus**: **Robert Frebern** does not attest any other charter by King David, but he appears in the reigns of King Malcolm IV. and King William. (Lib. de Calchou, p. 178; Reg. de Dunfermelyn, pp. 87, 92, 101.) He had a son Roger (Lib. de Calchou, p. 222). In the thirteenth century there were Freberns of Lamberton in Berwickshire (Raine, N. Durham, App., p. 67, Nos. CCCLI. and CCCLII. See Reg. Dunf., p. 249.)

Hidda. I cannot identify him. **William de Lamberton** was a witness to CLXXVII., p. 140, and to CLXXXIII., p. 147. Probably he belonged to the family of Lamberton of that ilk in Berwickshire. (Raine, N. Durham, App., p. 66, No. CCCXLIX.)

CIX.

In the Registrum Epis. Glasguensis, Maitland Club edition, p. 9, No. 3.

A charter by King David to the church of Glasgow of a land in Partick. It is stated in the charter by Bishop Herbert (ante, p. 345) that King David granted part of Partick on the day of the dedication of the church of Glasgow; and as it is probable that this

charter is that referred to, it has commonly been dated 11 July, 1136, the day on which the church was dedicated. Another part of Partick was given by the King to the church, and to John the Bishop, by a charter which has not been preserved.

p. 85. **Partick** lies to the west of Glasgow, from which it was separated by the River Kelvin. Ailsi and Tocca formerly held it of the King, and afterwards Ascelinus the Archdeacon, and he, by this charter, was directed to pay annually to the church of Glasgow the mark of silver which he had hitherto paid to the King, and, on his death, the church was to hold this part of Partick free from any duty or service.

Ascelinus Archidiaconus : see note to charter LXV.

Testibus. It seems from this that the dedication ceremony was attended by the King, the Abbot of Roxburgh, William the Chancellor, William son of Duncan, the King's nephew, and by the Earls Malis and Duncan, by Fergus of Galloway, and by many others. It is strange that the dignitaries of the church, and some of the clergy of the diocese do not attest the grant.

William the Chancellor. Herbert, who had been chancellor since the accession of David, died, and William Cumyn was appointed Chancellor. It has been supposed by some that he was a son of Robert de Comines, Earl of Northumbria, and by others that he was a son of Richard Comyn, who in 1105 married Hextilda, granddaughter of King Donald, through whom John Comyn claimed the throne of Scotland in 1291 ; but from the way in which he is spoken of by Simeon of Durham, I think he was a priest of unknown or of mean birth. He was for a time chaplain to Galfrid, who was Bishop of Durham from 1133 till 1140. William the Chancellor was taken prisoner at the Battle of the Standard on 22 August, 1138. Alberic, the Papal Legate, ordered him to be set at liberty in September of the same year, when he returned to Scotland. I shall give the particulars of his daring attempt to become Bishop of Durham in a note to charter CXXXIII.

pp. 85, 86. **Testibus . . . Aad cum barba,** to distinguish him from other beardless Adams. **Malduuenus mac murdac** occurs here only. **Malodeni Scona** : at p. 77 he is called Vicecomes de Scona. **Radulf** and **Duunenald,** sons of Dunegal ; see note to charter No. LIV. **Uchtred son of Fergus,** probably Uchtred of Galloway. **Gilbert Fimboga** : Arthur Fimboga is a witness, p. 186. **Dufoter de Calatria.** Calatria (now Callander, in Stirlingshire) was the district between the Avon and the Carron, comprehending the parishes of Falkirk, Muiravonside, and Polmont, and part of Slamannan. It was of old a Thanage. Skene identifies Dufoter de Calatria with Dufoc vicecomes de Strivelyn Malcolm, Thane of Kalentyr, was a witness to Cambuskenneth, No. 79, and about 1190 there was a Dominus Alwynus of Kalentyr. In the reign of David II. Patrick Calentyre was forfeited.

CX.

Registrum de Dunfermelyn, fol. 8a ; Bannatyne Club edition, p. 18, No. 34; Illust. Aberd. and Banff, vol. 2, p. 129.

King David, addressing the bishops, abbots, earls, etc., and all his liegemen in Murray and in Scotland, announces that he has granted twenty shillings a year from the rent of the burgh and fishings of Elgin for the clothing of the monks of Urchard, so long as they dwell together according to their religious vows.

p. 86. **Urquhart** is near Elgin. It is not improbable that this endowment of the priory was made soon after the defeat of the Earl of Murray at Stracathrow in 1130. In that year David I. went to England (as several entries in the Pipe Rolls of Cumberland show). He was selected as an arbiter of rank and experience to decide a question which had arisen between the King of England and an English baron Geoffrey de Clinton (Ordericus Vitalis, Prevost's edn., Vol. III., p. 404 and note). In King David's absence, Angus, Earl of Murray, attempted to gain the kingdom. It is uncertain whether he himself claimed the Crown as the grandson of Lulach (who was King for six months after the death of Macbeth) or whether the claimant was Melcolf, a bastard son of Alexander I.

The Anglo-Saxon Chronicle, 2, p. 227, A.D. 1130, "In this year Anagus was slain by the Scots army and there was a great slaughter made with him. Then was God's right avenged on him, because he was all forsworn." The Chronicle of Melros, p. 69: "Anno 1130 Anagus comes Murauensis a Scottis interfectus est cum gente sua a Scottis." The battle is mentioned in the Annals of Inisfallen (Chron. P. and S., p. 170) and in the Annals of Ulster (Chron. P. and S., 371): "Battle between the men of Alban and the men of Moray in which fell four thousand of the men of Moray with their King, Oengus son of the daughter of Lulag. A thousand also of the men of Alban in heat of battle." Ordericus Vitalis says that Aragois, Earl of Moray, with Melcolf, a bastard son of Alexander I., who desired to deprive King David of the Crown, entered Scotia with an army of five thousand men in King David's absence in England and were defeated at Stracathrow by Edward 'princeps militiae.' Aragois Consul was slain "totumque regionis spatiosae ducatum Deo auxiliante, nactus est. Sic David aucta potestate super antecessores suos exaltatus est." Fordun, v., 33: "David anno septimo . . . comes Moraviensis Angusius apud Stracathrow cum gente sua peremptus est."

It is possible that there was an old Scottish monastery at Urquhart to which David I. brought Benedictines from Dunfermline, to which abbey the Priory of Urquhart became attached (Haddan and Stubbs, 2 Concil., p. 209, and No. CCLV., ante, p. 204).

Elgin. I do not know whether the castle and burgh of Elgin were in the King's hands before the defeat of the Earl of Murray in 1130; certainly by the time this charter was granted Elgin was a King's burgh, and the rent due to the Crown was collected by the

'praepositus,' who is here directed to pay twenty shillings a year from the rent and the fishings as the money came in.

Banef is Banff in Moray. The King possibly visited Banff on his return from England, after the battle of Stracathrow.

CXI.

The original is in the Treasury at Durham. Printed by Dr. Raine, N. Durham, App., p. 5, No. XXII. The words in italics were supplied from the Chartulary.

King David grants to the church of St. Cuthbert at Coldingham the toft in Ednam (which Gilbert the priest of Stitchel held of the King) to be held of the King free of all service in feu and in alms for a yearly payment of two shillings.

p. 87. **Ednam.** The church and a ploughgate of land had been granted to the monks of St. Cuthbert by Thor Longus. **Stitchel** is a parish in Berwickshire, near Ednam.

CXII.

Register of the Priory of Daventry; British Museum, Cott. MSS. Claud. D. XII., No. 3.

I understand this to be a renunciation by the Earl of the feudal dues and services hitherto rendered by the Priory of Daventry to the Earl of Northampton and a grant of all their lands to be held in alms. Further, William, the canon, was to hold his prebend as freely as any prebend was held.

King Henry I. died on 1 December, 1135. David, King of Scotland, promptly raised an army and marched into England to support the claim to the throne of his niece, the Empress Matilda. Carlisle, Wark, Norham, Alnwick, and Newcastle surrendered to him. Stephen hastened to the north, and, by liberal concessions, David was induced to recognise Stephen and to make peace. His son Henry received the Earldom of Northampton and the Honour of Huntingdon with Doncaster and Carlisle.

"Tandem vero in eadem provincia habita collocutione et pace facta inter duos reges, Henricus filius David Regis Scotiae homagium Stephano Regi apud Eboracum fecit. Deditque Rex illi cum consulatu patris sui Huntadun, Carlel et Doncastriam cum omnibus quae ad ea pertinent" Richard of Hexham (Twysden, 312). 'Cum consulatu patris sui' implies that Earl Henry got his father's Earldom—of Northampton—and perhaps that is the meaning of 'in augmentum' in the following passage from Simeon of Durham. "A.D. 1136 occurrit ei, (David), Rex Stephanus in capite jejunii Non. Feb. apud Dunelmem,

ibi commoratus diebus XV David quoque Rex in Novo Castello se recepit. Habita igitur collocutione de pace inter eos, Henricus filius regis Scotiae fecit homagium Regi Stephano apud Eboracum in augmentum Honoris de Huntedun datis ei Dunecastra et Karleol. Caeteras munitiones et terras quas occupavit Rex David restituit. In Paschali vero festivitate Rex Stephanus eundem Henricum in reverentia praeferens ad dexteram suam sedere fecit. Ic circo Willielmus Archiepiscopus Cantiae et quidam proceres cum Ranulfo Comite Cestriae in juvenem contumeliosa locuti, a curia Regis se amoverunt" Simeon of Durham (Twysden, 258).

Henry de Knyghton (Twysden, 2385): "Et cito post haec recepit ad concordiam David Regem Scotorum, qui nuper dolose ceperat Castellum de Caerliell et castrum super Tinam et dedit ei Huntyngdonam in Anglia, homagium autem et fidelitatem a filio ipsius David recepit, non ab ipso David, quia David prius juraverat fidelitatem Imperatrici."

John Bromton's Chronicle (Twysden, 975). On the death of King Henry (I.), Simon the son of Simon de Sancto Licio "comitatum Huntyndoniae intravit pacifice et possedit"; that possession was interrupted by the grant to Earl Henry in 1136, but about two years later Earl Henry with his father were in arms against King Stephen, and at the Peace of Durham, in 1139, Henry got Northumberland, and the Earldom of Northampton and the Honour of Huntingdon were restored to Simon de St. Liz, who died in 1153. In 1157, Malcolm IV. resigned the Earldom of Northumberland to the King of England, who gave him the Earldom of Northampton, which was held by his brother David until his death in 1199.

CXIII.

From the Registr. Prior. S. Neoti, No. 97; British Museum, Cott. MSS. Faustina, A. IV.

Henry the Earl, the son of the King of Scotland, addressing all his liegemen, announces that he has granted to the church of St. Neots, and to the monks in alms who serve God there, twenty shillings a year from his mill of Huntingdon for their sustentation, and further that he has confirmed their right to the church of Eynesbury which his mother had granted to the monks. "The village of Enesbury and the contiguous town of St. Neot's are situated upon the eastern bank of the Ouse in the county of Huntingdon" (Gorhams' Eynesbury, p. 1).

St. Neot was a Cornish saint who died about A.D. 877 and was buried in Cornwall; about a century later his remains were translated to Huntingdonshire by Earl Alric and his countess, Ethelfleda, who

founded a priory at Eynesbury, subordinate to the recently established monastery at Ely. In honour of the saint the name of the place was changed to St. Neots. At the beginning of the eleventh century the priory was burned by the Danes. It was refounded about 1078 by Richard Fitz Gilbert de Clare, and filled with monks from the French abbey of Bec. The manor of Eynesbury belonged to the Countess Judith, who was succeeded by her daughter Matilda, wife successively of Simon de St. Liz and of David I. Countess Matilda and her first husband were among the early benefactors of the priory. Another benefactor was Hugh de Beauchamp, Lord of Eaton Socon, of the same family as Beatrix de Bello Campo, the wife of Hugo de Moreville.

It appears from the abstract of deeds in the chartulary of St. Neots (Gorham, p. 290) that Henry, the son of the King of Scotland, granted four charters to St. Neots: De Molendin' in Hunt., c. 22; De Molend' in Paxtona c. 23; De Herdwik et Caldecote, c. 24; De donationabus antecessorum, c. 25; of these I have had only one copied, that now printed as No. CXIII.

CXIV.

From the Register of the Priory of St. Andrews at Northampton, Cott. MSS. Vespas. E. XVII., No. 33.

Earl Henry, addressing Robert Foliot, his Steward, and all his liegemen of Huntingdon, orders an annual payment of forty shillings to be made to the monks of St. Andrews at Northampton from his rent of Huntingdon, in lieu of the alms which these monks had from Bedford by the gift of the Earl's mother, which the Earl had granted to Hugo de Bror, to be paid until the Earl could give the monks something of the same value in a convenient place.

The Countess Judith held seven manors in Bedfordshire; her son-in-law, Earl Simon, gave 40s. from the rents of the town to the monks of Northampton. King William Rufus conferred the barony of Bedford on Pain de Bello Campo, but a portion of it was recognised to be a part of the Honour of Huntingdon, which in 1136 was given to Earl Henry. In 1138, when King David and his son again opposed King Stephen, Bedford was taken from the Scots, and it was given to Hugo de Bello Monte, with the title of Earl of Bedford. Earl Hugh held it for only a few years, afterwards he lost his lands and state, and was known as Hugo Pauper. Earl Henry did not regain Bedford in 1139 when the Honour of Huntingdon was restored to him by the treaty of Durham. The Beauchamp family got Bedford. King Malcolm IV. of Scotland made a claim to it, which was denied.

p. 88. **Hugo de Bror**, to whom Earl Henry granted the forty shillings from the rents of Bedford, was probably a Northamptonshire baron. Earl Henry here pretends that his inability to continue the payment to the monks of St. Andrews was due to his own voluntary gift to Hugo, instead of to his having been deprived by force by King Stephen of all his rights in Bedford.

Roberto Folio dapifero suo was Robert Foliot, who appears in the charters, ante, pp. 92 and 101.

St. Andrews, Northampton. See note to LXXI.

Roberto son of Nigel: witness, ante, pp. 42, 58.

Apud Chingor. This may be Kinghorn, in Fifeshire, but probably a place in the English earldom.

CXV.

From the Register of the Priory of St. Andrews at Northampton, Cott. MSS. Vespas. E. XVII., No. 32.

Earl Henry confirms to the monks of the church of St. Andrews at Northampton all the lands which they held of the Earl and his vassals, and he specially charges his steward to support the monks in their rights.

CXVI.

From the Regis. Episcop. Aberdonensis, Spalding Club edition, Vol. I., p. 3.

A charter by King David, granting and confirming many lands to the church and Bishop of Aberdeen.

Mr. Cosmo Innes, in the Preface to the Registrum, said that this charter cannot be sustained as a perfect transcript of the original. He regarded it as a memorandum of a grant, "to which the scribe had stupidly affixed the conclusion and mode of testing which were in fashion in the charters of his own time." The last clause: "Teste me ipso apud Forfar anno regni mei decimo tertio tricesimo die mensis Junii," is certainly spurious. The confirmation by Malcolm IV. (p. 4) is equally doubtful, but the Bull of Pope Adrian IV., A.D. 1157, is said by Mr. Innes (Pref., xix) to afford all the materials for testing its authenticity, and, submitted to all the tests, stands undeniably authentic.

p. 89. **Beato Machorio.** St. Machor was an Irish disciple of St. Columba, who converted many in the northern parts of the Pictish kingdom, and, settling at Aberdeen, founded the church there. The tradition was that of old there was a Bishop of Mortlach, David I. moved the see to Aberdeen, circa 1125, where Nectan was the first

Bishop. (2 Reg. Aber., pp. 125, 246-7.) In the Book of Deer, ante, p. 78, Nectan is a witness in the eighth year of King David's reign. He is mentioned in a charter by William the Lion (Reg. of Aberdeen, I., p. 12).

Aqua de North, *i.e.* of the Don. This cannot mean that the King granted half of the fishings in the River Don; probably he gave only a half share of one fishing or net in the river, where it flows past Old Aberdeen.

Sclaty is in Old Machar or Newhills. **Goul** is in New Machar, where the Bishop had a castle in the loch. **Murcroft**: probably Murcar, in Old Machar. The Dean of Aberdeen held as his prebend the church of Kirkton and the lands of Murcroft. **Kynmondy** and **Malmeulach**: estates in New Machar. **Schiram de Clat**: Clatt is a parish in the Garioch, 33 miles from Aberdeen. **Schiram de Tulinestyn** is Tullynessle, in Alford, adjoining Clatt. **Schiram de Rane**: Rayne, a parish in the Garioch. **Schiram de Dauyot**: now called Daviot, a parish in the Garioch adjoining Rayne.

This charter confirms or grants three estates: the first in and near Old Aberdeen, consisting of Sclaty, Goul, Murcroft, Malmeulech, Kirkton, and Kinmundy; the second, comprising Clatt and Tullynessle; and the third, Rayne and Daviot.

Decimam annonae. Annona is grain; 'in eodem loco,' is Aberdeen.

Decimam meam de redditibus de Aberden. In the Bull of Pope Adrian it is expressed: "totam decimam regis de burgo Abbirdon."

Decimam thanagiorum. In the Bull of Pope Adrian IV.: "Decima eorum quae sunt inter duas aquas quae de De et de Spe dicuntur," and in a charter by King Malcolm IV.: "(decimam) omnium escaetarum me contingentium inter duas aquas. . . ." Mr. Skene has an exhaustive note on thanages, their number and situation (Fordun, Vol. II., p. 416).

CXVII.

The original is in the Treasury at Durham. Dr. Raine, N. Durham, App., p. 25, No. CXI.; facsimile, Anderson's Diplom., plate 71.

This may have been granted any time between 1124 and 1138, when Earl Gospatric was killed at the Battle of the Standard. It was confirmed by King David, A.D. 1139 (No. CXXI., ante, p. 93), and by the Bishop of St. Andrews, A.D. 1150 (No. CCXIII., p. 174). Earl Gospatric, addressing all the sons of the Holy Mother Church, higher and lower, ordained and lay, announces that he has granted in alms to God and to the monks of St. Cuthbert, the vill of Ederham and its church and all its chapels, and the other vill called Nesbite, for the souls of King Malcolm and of his sons, the kings Edgar and Alexander, and for King David and his son Henry, and for the weal of the granter and his wife and sons, and for the souls of all his relations; and, if any one impugn the grant, let God deal with him. May God

take both this life and the kingdom of heaven from any one who diminishes this grant.

p. 90. **Gospatricus comes frater Dolfini.** Gospatric was a son of that Gospatric who was for a time Earl of Northumbria in 1067, and again from 1069 till 1072. Gospatric, the younger, usually described himself as the brother of Dolfin, who was Lord of Cumberland (perhaps under the Scottish king) until he was deprived of his lordship by King William Rufus. While his brothers Dolfin and Waltheof had great possessions in England, Gospatric got from his father the earldom in the south of Scotland which his descendants afterwards called the Earldom of Dunbar. Besides his Scottish earldom Gospatric held lands in Northumberland. He is supposed to be the 'summus dux Lodonei' who was killed at the Battle of the Standard in 1138, and it seems certain that he died in that year. From him descended a long line of earls, and, if any of the name of Dunbar can trace their pedigree to him, they are of the best blood in Scotland.

Ederham is Edrom, a parish in Berwickshire. The forger of the charters XV., XVI., and XVII., ignorant that the land was the gift of Earl Gospatric, included it among the lands granted by King Edgar.

Nesbit is an estate in the parish of Edrom.

Testibus: Gospatrico filio ejus was the son of the granter, not the son of William. He succeeded to the Earldom. **Ulkil filio Meld'** is the same as Ulchil son of Maldred, ante, pp. 64, 65. If there be truth in the statement that Earl Gospatric's grandfather was Maldred, brother of King Duncan I., this may be the Earl's uncle. **Rand de Lindesai.** He was a witness, ante, pp. 150, 157. Lord Lindsay, in the Lives of the Lindsays, I., p. 20, says: "Contemporary with the original Walter de Lindsay and his successor William, lived another De Lindsay, probably the brother of the former, by name Randolphus or Ranulphus, who obtained large estates in Cumberland . . . in marriage with Ethelreda of Allerdale, granddaughter of the illustrious refugee Cospatrick, and sister of Gunilda, wife of Uchtred, the Pictish Prince of Galloway. Randolph witnesses charters of King David, of Henry, Prince of Scotland, and of his uncle, Earl Cospatrick the second, and is otherwise known by his gifts to the Priory of St. Bees in Cumberland . . . and to the Priory of Carlisle, whose representatives, the Dean and Chapter, still hold the manor of Lorton in virtue of his donation." I am uncertain whether he left issue.

S. presbitero: probably Swain, the priest of Fishwick. **John the chaplain.** He is a witness to charters, pp. 136, 189. He held a land in burgage, in Roxburgh (ante, pp. 193, 194, 195). **Gosp' filio Crin** and **Aldan** his brother are unknown. **Lamberton dapifer.** I think he is the same as William de Lambertun, pp. 85, 140, 147.

CXVIII.

Registrum Prioratus S. Andreae, fol. 79 b; Bannatyne Club edition, p. 186.

King David, addressing the Bishops, Abbots, Earls, Barons, and all

his liegemen, announces that he has granted to God and to St. Andrew the Apostle, in alms, the church of Linlithgow, with its chapels and lands, both within and without the burgh, for the purpose of lighting the church and to clothe the canons there serving God.

This is a spurious charter. It is witnessed by William the Chancellor, who ceased to be chancellor in 1140, and the canons were not brought to St. Andrews until 1144. Another charter in the same register, fol. 90 a, granting Linlithgow to St. Andrews is, I think, genuine.

"David Dei gratia Rex Scotorum, cunctis catholicae ecclesiae fidelibus totius regni sui salutem. Sciatis me concessisse et dedisse in perpetuum in elemosinam Deo et Sancto Andreae Apostolo, ecclesiam de Linlidcu cum capellis et terris et omnibus aliis rectitudinibus praedictae ecclesiae pertinentibus ad luminaria ecclesiae Sancti Andreae invenienda. Et si quid superfuerit, sustentationi ministrorum altaris Sancti Andreae tribuatur. Volo itaque et firmiter praecipio quod ecclesia Sancti Andreae et eidem ecclesiae servientes et servituri ita bene et in pace libere et quiete et honorifice hanc habeant elemosinam et teneant in capellis et terris et decimis et in omnibus aliis rebus ecclesiae pertinentibus sicut ulla ecclesia in regno meo melius et honorificentius sua jura tenet. Testibus Willelmo Cancellario et Hugone de Morevilla et Herberto Camerario. Apud Kinros."

I prefer it, because it omits the words 'canonici' and 'ad vestitum canonicorum,' which, I think, were introduced to benefit the canons who were appointed some time after the grant of the church of Linlithgow to the church of St. Andrews. King David, in the confirmation (CLXIII., p. 127), speaks of his gift of the church of Linlithgow. In King William's confirmation it is said to have been the gift of Robert, Bishop of St. Andrews. A later charter by King Alexander II. states that it was the gift of the King and of the Bishop. (Reg. Prior. S. And., p. 233.) This grant was confirmed by the Bulls of successive Popes (Reg. Prior. S. And., pp. 54, 57, 63, 68, 72, 77, 92, 99, 103), and by Bishops of St. Andrews (pp. 130, 142, 145, 147, 149, 155, 159, 167).

p. 90. **Linlithgow** was a burgh which grew up round the castle which belonged to the Crown. The church of St. Michael was in the castle. King David granted a toft in Linlithgow to the Abbey of Stirling (CCXXXV., ante, p. 189); a mansura in Linlithgow to the Abbey of Dunfermline (CCIX., p. 168); and he granted to the Abbey of Holyrood the skins of sheep, "de castello et de Linlitcu quae moriuntur in meo dominio" (No. CLIII., ante, p. 116).

CXIX.

Dugdale, Monast., III., p. 313. It is taken from the Register of St. Albans in the British Museum, Cotton. MSS.

David, King of Scots, to the bishops, abbots, earls, sheriffs, barons, and all his liegemen of his land, French and English and Scots and Galloway men, announces that he has granted his peace to the church of St. Mary and St. Oswin the Martyr at Tynemouth and to the monks and to their men and property, and to all those who were in the peace of St. Mary and St. Oswin on St. Barnabas day, 1138. This he granted for the souls of his father and mother and of his brother Alexander, who had granted his peace to the same church, and for the soul of his sister Matilda, the Queen of England, and for his ancestors and successors. His son Henry assenting. The peace which was arranged in 1136 between King David and King Stephen was of short duration. In 1137, King David, in the absence of King Stephen in Normandy, demanded the Earldom of Northumbria for his son Henry. A truce was arranged until Stephen's return; then in February, 1138, the English King marched across the border into Roxburghshire. He retreated, and the Scots took the offensive.

The King and his son Henry ravaged Northumberland, where his army committed horrible barbarities. Simeon of Durham (Twysden, 259 *et seq.*). The monastery at Tynemouth avoided destruction by a payment of twenty-seven marks of silver to King David, and this charter of protection was granted.

William Fitz Duncan was for a time successful and won a battle at Clitheroe in June, 1138. This charter was granted shortly after the 16 June, St. Barnabas day, while King David was besieging Norham castle.

Richard of Hexham (Twysden, 318), after describing the cruelty with which King David and William Fitz Duncan ravaged Northumberland and Durham, says that a serious discontent arose in the Scots army on account of a woman, and that the danger was increased by the rumour of the approach of a great army from the south of England. David I. commenced to retreat to Scotland. Gaining confidence on his way northward, the King besieged the castle of Norham, while part of the army under William Fitz Duncan went into Yorkshire and there won the battle of Clitheroe. The garrison of Norham consisted of only nine soldiers, who maintained a successful defence for a long time. Having no hope of assistance from the Bishop of Durham, they surrendered, for which they were blamed because the castle was not injured and there was abundant food. King David offered to restore the castle to the Bishop if he would abandon the cause of King

Stephen. On his refusing to do so, it was partially destroyed. While the siege was going on the church of Tynemouth bought this protection.

p. 92. **Gospatric**, the Earl. Shortly afterwards he was killed at the Battle of the Standard. **Hugo de Moreville.** In Ailred's History of the Battle of the Standard, Moreville's name is not mentioned, but this proves that he accompanied the King in the invasion of Northumberland and was at the siege of Norham.

CXX.

The original is in the Treasury at Durham. Printed by Raine, N. Durham, App., p. 6, No. XXIII. A seal attached.

It appears from this that the rights of the monks to lands gifted by Gospatric (by CXVII., ante, p. 90) had been disputed, probably by his son and heir, Gospatric the Earl. The King orders his Sheriff of Roxburgh, G. Ridell, to hold the lands until the King go into the district. The 'breve' is imperfect.

p. 92. **Ponatur in respectum.** "Ponere in respectum," 'to delay, to sequestrate or put land which is in dispute in neutral custody until the dispute be settled.' "Demandam de 28 lib. ponat in respectum usque ad reditum Regis de partibus transmarinis" (26 Henry III., Abbrev. Rot., I., p. 4). 9 Rich. I.: "Assisa Magna . . . ponitur in respectum usque ad adventum justiciariorum in partibus illis." Charta Edw. III., 1328; Rymer 4, 367: "Et homagia illorum qui nobis homagia facere tenentur, ponatis in respectum quamdiu nostrae placuerit voluntati" (Du Cange).

CXXI.

The original is in the Treasury at Durham, with a seal. Printed by Raine, N. Durham, App., p. 5, No. XX.

Confirmation by King David of the grant by Gospatric, brother of Dolfin, of Ederham and Nesbit to the church of Coldingham (ante, CXVII., p. 90). Probably this was issued after the King went to Berwickshire and made the enquiry contemplated in the mandate No. CXX.

p. 93. **Testibus . . Daniel, Prior de Geddewrda.** This is the only notice in Scottish record of this prior. It proves that the Priory of Jedburgh was founded before September, 1139. **Duncan the Earl:** this shows that he succeeded his father, Earl Gillemichel, before 16 August, 1139. The other witnesses have been already noticed.

CXXII.

Register of the Priory of St. Andrews, fol. 78 a; Bannatyne Club edition, p. 180.

It is a grant in free alms to God and to the church of St. Andrew at Chilrimont (St. Andrews) of the church of St. Mary of Haddington with the chapels, lands, and rights which belong to it, viz. the whole of Haddingtonshire, to be held as freely as the then existing tenants held of the King and of Theinus and of others. It was, I think, granted between 1138 and 1140, *i.e.* after Bishop John returned from Tiron in 1138, and before 1140, when William ceased to be chancellor, and when Nicolas, the prior of Scone, died.

p. 93. **Haddington.** The church of Haddington was one of the richest and most important of the parish churches in Scotland. It continued attached to the Priory of St. Andrews until the Reformation. This grant was confirmed by Popes Lucius III., Gregory VIII., Clement III., Innocent III., Honorius III., and Innocent IV. (Reg. Prior. S. And., pp. 58, 63, 68, 72, 77, 92, 99, 103.) The church was served by a vicar. "Oblationes obventiones totius parochiae de vivis et de mortuis tam de capellis quam de matrici ecclesia, et omnes decimae negotiationis burgensium et aliorum negotiatorum et conductiorum et decimae ortorum infra burgum cum medietate feni et domus juxta ecclesiam in qua vicarius residere consueverat in usus et sustentationem vicarii cedant" (Reg. Prior. S. And., p. 158). There are many charters in the Register of the Priory relating to the church of Haddington.

p. 94. **Cum capellis.** The chapels were dedicated to St. Laurence, St. Martin, St. Catherine, St. Kentigern, and St. John.

Hadintunschir: the parish included a considerable part of Athelstaneford and Gladsmuir.

Theinus was, I think, not a thane, but the name of the overlord of some of the lands held by the church of Haddington.

CXXIII.

From Dugdale's Monasticon, III., p. 584, taken from the original in the Charter Chest of St. Mary's at York. It is not included in Dr. Prescott's edition of the Registrum Prior. de Wetheral.

King David, addressing the earls, justiciars, and all his liegemen of Cumberland, French and English and Cumbrians, announces that he has granted to the monks of St. Mary's at Wetheral a mark of silver annually, to be paid from the profits of his mill at Scotby with the tithe of that vill.

p. 95. **Scotby,** in the parish of Wetheral, was one of several manors in Cumberland which had belonged for a long time to the kings

of Scotland; others were Penrith, Langwathby, Salkeld, Great Carlton, and Soureby. Uchtred, son of Liulf (who held the mill of Scotby under the King of Scots), granted it to the Priory of Wetheral (Prescott, p. 41). A rent was due to the King, and by this grant of a mark of silver annually the King renounced right to the payment due to him by the priory. The tithe of the vill of Scotby had long before been granted to Wetheral. The King confirmed the grant. **Wedheral** is Wetheral near Carlisle. The church was dedicated to the Holy Trinity and to St. Mary and St. Constantine. Before A.D. 1112, Ranulf Meschin, Lord of Cumberland, made it a cell of the Abbey of St. Mary at York.

CXXIV.

Dugdale's Monast., III., p. 584. Dr. Prescott does not include it in his Registrum de Wetheral.

It is a mandate by Earl Henry that the monks of Wetheral be free of toll throughout all his land. After the temporary successes of the Scottish army at Clitheroe and at Norham in June, 1138, Kind David was defeated at the Battle of the Standard in August of that year; by the intervention of the Papal Legate, and especially of the Queen, the wife of Stephen, who was a niece of the Scottish King, the Scots got better terms than they were entitled to. John of Hexham (Twysden, 265). "Instantia vero Reginae Anglorum pax convenit inter duos reges Henrico filio regis Scotiae apud Dunelmum accipiente comitatum Northymbriae. Confirmata est haec concordia per Reginam et Henricum filium Regis Scotiae apud Dunelmum v Idus Aprilis coram Comitibus et Baronibus Angliae datis obsidibus a Scotia in firmamentum fidei. Profectus est autem cum Regina, Henricus Comes ad Regem Angliae ad Notingaham et obsequens ei per aestatem impensas munificas fecit. Qui et accepit conjugem Ada. . . ."

After his marriage Earl Henry took possession of his Earldom of Northumberland.

p. 95. **Gilebertus de Umfraville**, a son of Robert de Umfraville. **William de Herziz** (a clerical error for Heriz) was a witness to charters CLXXXVII. and CCXLIV., ante, pp. 150, 197. The Heriz were vassals of the de Bruces, with whom they were often associated. **Apud Carl'**, at Carlisle.

CXXV.

Regist. Epis. Glasguensis, Maitland Club edition, p. 12, No. 9.

King David, addressing his barons, officers, and all his liegemen of his whole kingdom, as well Galloway men as English and Scotsmen,

announces that he has granted to God and to the church of St. Kentigern of Glasgow, in perpetual alms, the tithe of his 'chan' in beasts and pigs due to him annually from Strathgriua and Cunegan and Chul and Karric, except when the King himself stays in those districts and consumes his 'chan.'

p. 96. **Chan** has been already explained to be rent payable in kind to the owner or overlord of land. Earl David had can from Galloway, a part of which he granted to the Abbey of Selkirk (ante, XXXV., p. 27).

Strathgriua is Strathgryfe, the valleys of the Gryfe and its tributaries, which comprise almost the whole of the shire of Renfrew. The Gryfe rises in the parish of Greenock, and flows through Kilmacolm, Houstoun, Kilbarchan, Erskine, Inchinnan, and Renfrew, where it joins the Cart which traverses the rest of the shire. Strathgryfe was granted to Walter the son of Alan, probably by King David I.; certainly Walter held it in the reign of Malcolm IV., to whom he was dapifer or steward.

Cunegan is Cunningham, the northern division of Ayrshire, which David I. granted to Hugo de Moreville, who in it founded the Abbey of Kilwinning.

Chul is Kyle, the middle division of Ayrshire.

Karric is Carrick, the southern part of Ayrshire, which was either granted to Fergus of Galloway or was part of his paternal inheritance. Fergus de Galweia was the descendant and representative of the old chiefs of Galloway. He is never styled 'comes'; the Chronicle of Holyrood calls him 'princeps.' He married an illegitimate daughter of King Henry I. of England. He founded the monastery of Dundrennan, and restored the Bishopric of Candida Casa. In 1160 he became a canon in Holyrood Abbey, where he died.

CXXVI.

Registrum Epis. Glasguensis, Maitland Club edition, p. 12, No. 10.

The King, addressing his justices, sheriffs, barons, and all his officers of Cumberland, announces that he has granted to the church of St. Kentigern of Glasgow, the eighth penny of all his pleas throughout 'Cumbria,' both in money and cattle, and he orders that the church may enjoy this share as freely as any 'elemosina' can be given and held.

It is a question of difficulty what is here meant by "tota Cumbria." In some chronicles the name Cumbria is applied to part of the south of Scotland, corresponding generally to the diocese of Glasgow, and this may be a grant of the eighth part of the King's pleas in that

part of his own kingdom; if so, it is the "octavum denarium in auro et argento et animalibus de placitis regis qui fiunt in episcopatu tuo" which Pope Alexander III. confirmed to the Bishop (Reg. Epis. Glas., p. 22). In 1172, the same Pope confirmed to the see "decima octavi denarii de placitis regis" (Reg. Epis. Glas., p. 26). On the other hand, Cumbria may mean Cumberland, and the fact that this charter is addressed to the justices, sheriffs, etc., of Cumberland supports that view. King David and his son Henry had rights in Cumberland under the King of England after 1136. For a time they lost them, but again from 1139 till 1157 Carlisle and a part of Cumberland were in the possession of the Scottish kings, David I. often resided at Carlisle. His right to Carlisle was disputed by Ranulf Meschin, Earl of Chester. John of Hexham (Twysden, 268), under date 1141: "Eodem anno Henricus Comes cum conjuge sua ad regem Angliae profectus est. Insurrexit in inimicitias in eum Ranulfus Comes Cestriae propter Karlel et Cumberland quam jure patrimonii sibi reposcebat. Voluit que eum in reditu cum armata manu involvere." King David, however, continued to hold Carlisle, and in 1150 it was agreed between him and the Earl of Chester that the Earl should get the Honour of Lancaster instead of Carlisle. John of Hexham (Twysden, 277).

It is by no means clear what King David's position was in Cumberland. He was not earl, and I do not know whether he had right to the fines, etc., in pleas of the courts of Cumberland. I find no trace of the Bishop of Glasgow having any rights or privileges in Cumberland after the institution of the Bishopric of Carlisle in 1133. This charter was granted at Cadzow near Hamilton. A large number of the witnesses are Scottish men: Fergus of Galloway, Radulf and Donald, sons of Dunegal, and Alwin Mac Archil.

CXXVII.

Registrum de Dunfermelyn, fol. 6b; Bannatyne Club edition, p. 10, No. 9.

A mandate to the Sheriff of Stirling to give to the Abbey of Dunfermline a saltpan near the King's saltpans, apart and free as the King's pans are; the men of the abbey working there to be in the King's peace.

p. 97. **Salina.** The saltpan presumably was within the shire of Stirling, on the shore of the Firth of Forth.

p. 97. **Gillebertus vicecomes**: the same as Gilebertus de Striuelin, p. 86. There were three sheriffs of Stirling in the reign of David I.: William, Gilbert, and Dufoc.

CXXVIII.

Registrum de Dunfermelyn, fol. 7a; Bannatyne Club edition, p. 14, No. 22.

King David, addressing the bishops, earls, barons, etc., of his kingdom of Scotland, announces that he has granted in perpetual alms to the church of Dunfermline the land of Petheneach with all its pertinents and rights and its woods free from hunting. The King prohibits distress being taken on that land for the wrong done by any stranger. The men and the land and all their goods have the King's peace.

p. 97. **Petheneach** 'juxta Eren' in Moray. This grant was confirmed by David I., Malcolm IV., William the Lion, and Alexander II. and III., and also by Pope Alexander III. The Abbey of Dunfermline afterwards granted Petheneach to the Priory of Urquhart.

p. 98. **Malisio marescall**: probably the same as Malodenus marescal, a witness, p. 86.

CXXIX.

The original is in the Treasury at Durham; a seal attached; facsimile, Anderson's Diplomata, p. xx; Raine, N. Durham, App., p. 24, No. CVII.

Earl Henry, addressing the justices, barons, sheriffs, etc., of his Earldom of Northumberland, announces that the lands and possessions of the monks of Durham are in his peace and under his care, and he orders all his officers to support the men of the church lands, and prohibits any from doing them injustice.

By the treaty of Durham, 9 April, 1139, Henry the King's son acquired the Earldom of Northumberland, which he held until his death in 1152.

p. 98. **Engelram.** When he became Earl of Northumberland, Earl Henry appointed as his chancellor Engelram, the Rector of Peebles and Archdeacon of Glasgow, who afterwards became chancellor of Scotland in the reign of Malcolm IV. He succeeded Herbert as Bishop of Glasgow in 1164. At Norham he denied the authority of the Archbishop of York as Legate and appealed to Rome. He was consecrated by Pope Alexander III. at Rome. (Chron. Melros, p. 79.) Keith says he was a brother of the laird of Dunsyre in Lanarkshire; but that is a mistake. Helias of Dunsyre was the brother of Bishop Joceline; not of Bishop Engelram (see Liber de Kelso, No. 356).

CXXX.

The original is in the Treasury at Durham, with a seal attached; Raine, N. Durham, App., p. 24, No. CIV.

Henry the son of the King of Scotland greets Gospatric the Earl, orders him (1) to permit the land of Edrom and Nesbit, given by his father in alms, to be free and quit (as had been agreed in the year before in presence of the King and Robert de Bruce and other barons) until the King returns, and (2) quickly to restore the oxen with sureties. Probably granted in 1141 when King David was in England with his niece the Empress. Earl Henry did not accompany his father to London and Winchester.

p. 99. **Ada vicecomes** was sheriff of Northumberland. A charter by him is given by Bateson in his History of Northumberland, printed in Genealogist, Vol. XV., p. 135: "Omnibus baronibus comitatus Northumb. Francis quam Anglis et cognatis et amicis suis Adam vicecomes Northumbrie (deed damaged) . . . fratrem meum Willelmum concessisse et dedisse Deo et Sancto Cuthberto propter elemosinam et . . . iam ipsius Sancti, Arkil de Matefen cum tota [sequela] sua. Et ego Adam haeres ejus hoc idem concedo pro anima fratris mei et heredum ejus et mea anima et heredum meorum, concedente Johanne fratre meo et Ernaldo fratre meo. Testibus Bernardo clerico, etc."

CXXXI.

The original is in the Treasury at Durham, with a seal attached; Raine, N. Durham, App., p. 25, No. CX.

Henry the son of the King of Scotland, addressing his justices, sheriffs, barons, and all his men of Northumberland, French and English, announces that he, at the request of Nicolas, had granted to the monks of St. Cuthbert a fishing in the Tyne called Bradyair which Nicolas held of him, with Croc which belongs to it, free and quit of all service. In addition Henry grants the ploughgate of land in Cranlinton which the same Nicolas gave to them with three tofts and thirty acres of moor, fifteen acres on one side of the vill and fifteen on the other, and a croft of meadow surrounded by an old ditch.

These fishings and lands were in Northumberland, and as Earl, Henry now confirmed the grants of Nicolas to the church.

CXXXII.

Registrum de Dunfermelyn, fol. 7 a; Bannatyne Club edition, p. 14, No. 23. The heading is "De Durnach."

King David, addressing Reinwald, Earl of Orkney, and the Earl

and all the liegemen of Caithness and Orkney, commands them as they love the King to cherish the monks who live at Dornoch in Caithness, and to see that none do them any injury.

p. 100. **Reinwald.** Paul, Earl of Orkney, on the death of his brother Harold, 1139-1140, obtained possession of the whole of Caithness. The King of Norway, however, divided Caithness and the Orkneys between Paul and his cousin Kali, a nephew of Earl Magnus: Kali received the Earldom of Orkney and took the name of Rognwald, he went on a pilgrimage to Jerusalem, and died leaving an only daughter, who married Eric Slagbrellis, she had three sons, of whom Harold Ungi became Earl of Caithness; he was slain in 1198 by Earl Harold the elder. His sister married Gillebride, Earl of Angus, and their son Magnus, in 1232, became Earl of Caithness. Their family held the earldom until about A.D. 1300.

Durnach is Dornoch in Sutherland. The original parish church of Dornoch, the date of whose foundation is unknown, was dedicated to St. Bar (Finbar or Fymber), a native of Caithness and Bishop of Cork. There seems to be no record of a monastery at Dornoch.

CXXXIII.

The original is in the Treasury at Durham, with a seal attached; Raine, N. Durham, App., p. 24, No. CIII.

Henry, Earl by the grace of God, son of David, King of Scots, announces that he has granted to the church of St Mary and St. Cuthbert at Coldingham and to the monks serving there, in perpetual alms Ederham and Nesbit as Gospatric the brother of Dolfin held them on the day of his death, as freely as they hold the other lands which belong to Coldingham. Earl Henry here repeats the charter of his father the King (ante, p. 93), granted at least two years earlier. The Earl's charter was given at Durham, where William Cumyn the chancellor held the castle and the temporalities of the see during his unsuccessful attempt to be elected as Bishop. The attempt of the Scottish chancellor to take the Bishopric of Durham is an interesting episode in King David's reign and one in which, I fear, the Scots King and his son did not play perfectly creditable parts. In April, 1140, William Cumyn went to Durham, and seeing that the Bishop, Galfrid, was about to die, he took immediate steps to secure the see. The Bishop died before the preparations were completed; his death was kept secret and the dead body of the prelate lay unburied, rudely preserved in salt. Some of the monks of Durham were in William Cumyn's favour; but the more influential, including the Prior and the Archdeacon, were his determined opponents. William Cumyn secured the castle and prevented

the chapter meeting for an election. At one time success seemed assured. Mr. Round (Geoffrey de Mandeville, p. 85): "The would be Bishop of Durham, William Cumin, had come south with the King of Scots (whose chancellor he was) accompanied by certain barons of the bishopric and a deputation from the Cathedral chapter. Nominally, this deputation was to claim from the Empress and the Legate a confirmation of the chapter's canonical right of free election; but, in fact, it was composed of William's adherents, who purposed to secure from the Empress and the Legate, letters to the chapter in his favour. The Legate not having arrived at Court when they reached the Empress, she deferred her reply till he should join her. In the result, however, the two differed, for while the Legate, warned from Durham, refused to support William, the Empress, doubtless influenced by her uncle, had actually agreed as sovereign to give him the ring and staff, and would undoubtedly have done so but for the Londoners' revolt." After many delays, William de St. Barbara, the Dean of York, was elected Bishop of Durham. The new Bishop was consecrated in 1143. William Cumyn still held the castle. In the course of 1144 an arrangement was come to, Cumyn's nephew got the Honour of Alvertun, and he himself and his followers were released from the excommunication under which they had been laid. Bishop William de St. Barbara entered into the see on 18 October, 1144. The last that is heard of William Cumyn is that he was imprisoned by Richard de Luvetot and cruelly treated. I give the passages from Simeon of Durham and John of Hexham; they throw light on the the position and actions of the Scots King and his son. Simeon of Durham, Historia de Dunelmensi Ecclesia (Twysden, 63), speaking of Gaufrid, Bishop of Durham: "Sed in ipsius obitu contigit ecclesiam gravissimas tempestatum procellas incurrere. Erat enim clericus quidam regis Scotiae Cancellarius jam pridem eidem ante episcopatus notus et a secretis siquidem et eum ab annis adolescentiae educaverat, qui paululum ante obitum ejusdem Dunelmum veniens et cum eo familiariter conversatus cum finem episcopi appropinquare cerneret, familiares quosque clericos castellanos etiam sibi fide vel sacramentis associat, ut mortuo Episcopo eidem castellum committerent. Eo igitur mortuo ab eisdem extorsit, ut episcopus celaretur donec cum rege Scotiae loqueretur ut ipsius adjumento episcopatum acquireret. Proinde quia cadaver aliter teneri non potuit, evisceratus est a suis Episcopus et a monachis absconditus, ne rem cognoscerent a tertia feria usque ad sextam feriam. Tunc enim eodem a curia reverso prior et monachi admittuntur castello jam ad voluntatem ipsius disposito. Erat eo tempore maxima regni turbatio. Siquidem Rex Stephanus dum Comitem Cestriae in Lincolnia obsideret, idem Comes furtim egreditur et sociato sibi Comite

Gloucestriae, ceterisque Imperatricis fautoribus ad urbem regreditur, ubi inter eos praelio facto, rex milite destitutus capitur, non tamen absque detrimento capientium. Erat siquidem robustus viribus et rebus bellicis eo tempore incomparabilis. Eo igitur incarcerato, Imperatrix, Regis Henrici filia, cum magno favore a Londoniensibus excipitur. Quo comperto, Rex Scotiae David ad curiam ejusdem proficiscitur, secum Cancellarium suum ducens qui pretio ab eodem exegerat ut ejus causa erga Imperatricem ageret. Iamque se Dunelmensem electum vocari volebat, quod facile adulatoribus undecunque concurrentibus persuasum est. Denique in curia jam constitutus tam a Rege Scotiae quam caeteris mediantibus tandem in assensum Imperatrix inducitur. Factoque consensu, cum jam jamque se baculo episcopali ab Imperatrice investiendum speraret, in ipsa curiae coadunatione subito turba exoritur, a regiis commota fautoribus, et Imperatrix cum suis omnibus aufugit, Londoniensium conspiratione comperta. Nec multo post cum Imperatrix Wintoniae moraretur ibidem a gente Londoniensium obsidetur, qui reginam evocaverant et ei Londoniam tradiderant. Illic congressione facta a baronibus huic inde pro partis utriusque favore confluentibus, Rodbertus, Comes Glocestriae capitur, Rex Scotia fugatur, caeteri quique huc illucque disperguntur. Hac vero captione contigit ut rex libere dimitteretur. Rege Scotiae repatriante, Cancellarius predictus Dunelmi remansit per tres annos, quibus vocabat episcopatus, operibus praetendens quo respectu episcopatum desideraverit, nisi quantum eum spes honoris adipiscendi refraenabat. Multa in episcopatu cupiditatis, imo crudelitatis signa reliquit. Monachis tamen jocundus semper et affabilis erat, a quibus se praemovendum sperabat. Sed cum sua spes fefellit, secundo siquidem anno ex consilio capituli, Prior ecclesiae Eboracum proficiscitur communicato primitus consilio ut quem ipse cum majoribus ecclesiae eligeret ad hunc caeteri domi residentes animum intenderent excommunicatis primitus ex sententia capituli Willielmi fautoribus."

John of Hexham (Twysden, 270) gives rather a different version under date A.D. 1142: "Post Pascha Galfridus Episcopus Dunelmi defunctus est. Super quo parentes ejus tacitum habentes, eviscere tum et sale conspersum et infusum eum inhumatum reservaverunt donec sub auctoritate David Regis Scotiae in munitionibus Dunelmi reciperent Willielmum Cumin, Cancellarium ejusdem Regis. Fuerat enim idem Willielmus clericus et alumpnus ejusdem Galfridi episcopi in obsequiis Henrici Regis. Videns itaque David Rex multa competere in Imperatricis neptis suae promotionem post ascencionem Domini ad eam in Suth Angliam profectus est. Divertensque ad Dunelmum receptus est in oppidum praecipitque omnia arbitrio Imperatricis reservari: Willielmumque Cumin rerum gerendarum

curam interim gerere. A.D. 1142 (Twysden, 271-273, John of Hexham, Surtees Soc., Vol. 44, p. 141): Willielmus quoque Cumin, ex datione Imperatricis dominatus in rebus episcopalibus Dunelmensibus plurimos plurimum afflixit. Potestas ejus quiddam tyrannicum sapuit. Ranulfus Archidiaconus Dunelmensis, nepos Ranulfi Episcopi Dunelmi, vir praeclarae probitatis in ecclesiasticis necessitatibus, egressus est, malens exulare quam intrusioni qua Willelmus Cumin ad episcopalem dignitatem spiravit acquiescere. Secutus est eum citius Rogerus Prior ejusdem ecclesiae . . . Nec multo post in ecclesia Dunelmensi interdictum est divinum officium cessavitque in ea omne divinum canticum."

. . . . . .

"Apostolicus vero posuit Willelmum Cumin sub anathemate et Archidiaconatus ejus quem habuit in Wigornensi ecclesia sine spe reposcendi, alii datus est. Qui super his exasperatus, in clericos et laicos quoscunque comprehendit, instar immanissimi praedonis grassatus est totamque pecuniam exhausit provinciae. Non erat princeps neque dux qui ejus violentias comprimeret. Erat enim miles quidam Rogerus de Coincneriis vir bonus et fidelis, hic non acquievit communicare actibus Willelmi Cumin. Unde in possessione sua, scilicet in Biscoptun firmavit se munitiunculam quia locus congruebat, circumcinctus palude. In hac receptus est Willelmus Episcopus, fuitque positus in moerore quia vidit homines et res episcopales affligi.

Henricus Comes filius regis Scotiae et Alanus Comes Richemundi pecuniis Willielmi Cumin corrupti, episcopum cassis obsequiis saepe deluserant. Venit idem episcopus cum multitudine ad Dunelmum ecclesiam Sancti Egidii vallo circumcingere elaborans ut habent locum illum ad munimen sui. Et monachi qui inclusi erant occultum aditum paraverant per quem episcopum cum suis introducere proposuerant. Innotuit res Willielmo Cumin qui cum satellitiis suis armatis irruens, violenter irrupit in monasterium, monachos que circa corpus beati Cuthberti prostratos in angustia spiritus reperiens, jussit trucidari, licet nullus acquiesceret, reposuitque illic custodes et arma."

. . . . . .

A.D. 1144: "His diebus juvenis miles, Willielmus nepos Willelmi Cumin, cum favore multorum edoctus res militares disponere et negotia populi amministrare apud Merringtun ecclesiam Sancti Johannis Evangelistae vallo circumcinxit et custodiam militum ibi disposuit. Perdidit autem sensum juvenis quidam cementarius et periit, qui propugnacula in muris ecclesiae construxit. Percussus est et ipse miles passione et morte subsequente, citius mulctatus est. Quo mortuo concidit spes et fiducia Willelmi Cumin. Jamque modestius sapere

didicit et velle reconciliari episcopo priusquam de eo similis expeteretur vindicta. Mediante ergo Willelmo Archiepiscopo, Willelmus Episcopus et Willielmus Cumin convenerunt in foedus pacis ut Ricardus Cumin teneret de episcopo Alvertun et totum illum honorem, caetera de integro resignarentur in manu episcopi. Erat autem iste Ricardus nepos Willelmi Cumin frater illius Willelmi defuncti. Die itaque Sancti Lucae Evangelistae, Episcopus in sedem episcopalem intronizatus per manum Willelmi Archiepiscopi et Willelmus Cumin cum multitudine sua absolutus est. Prosecuta est tamen eum debitae ulcionis poena a Domino. Post aliquot enim dies miles quidam Rodbertus de Mundavilla in quem et in uxorem ejus scilicet filiam Galfridi episcopi Dunelmensis idem Willielmus Cumin nequiter egerat, percussit nepotem ejusdem Willelmi, Osbertum adolescentum militem amantissimum omnibus qui in obsequio Henrici comitis filii Regis Scotiae fuerunt et militem cum eo Stephanum potentem viribus et strenuum inter socios Willelmi Cumin. Ipsum etiam Willielmum Cumin, Ricardus de Luvetot comprehendit et per multos dies in carceris tormentis gravibus et poenis afflixit" (Twysden, 274, John of Hexham, Surtees Soc., Vol. 44, pp. 147-148).

CXXXIV.

Registrum Prioratus S. Andreae, fol. 78a, b; Bannatyne Club edition, p. 181; Anderson's Diplomata, Plate XVII.

David, by the grace of God King of Scots, to the bishops, abbots, earls, justices, barons, etc., announces that he has granted in perpetual alms to the church of St. Mary at Haddington, Clerchetune by the boundaries which William de Graham and others perambulated after an agreement between the King and Thorald the Archdeacon at Peebles. He also grants to the same church a full toft, beside the church in the town of Haddington and all the tithes and church rights in Haddingtonshire both in mills and other subjects. He orders that the church shall hold the land of Clerchetune of him and of Thein and of all others who have held Haddington of the King and his heirs and of them and their heirs. Henry, the King's son, assents.

Chalmers (Caled., 2, p. 514) supposes this charter to have been granted about A.D. 1134. It is probable that after St. Mary's church was given to the church of St. Andrews by charter CXXII., ante, p. 93, disputes arose as to the extent and boundaries of its lands in Haddingtonshire, which were settled at a meeting at Peebles of the King and Thorald the Archdeacon of Lothian on behalf of St. Andrews. The definition of the boundaries of Clerkington was referred to William de Graham, Durand the Sheriff, and others, and the limits of the church lands having been ascertained, the King granted the charter.

p. 101. **Clerchetune** is Clerkington, an estate a little more than a mile from the town of Haddington. **Ex utraque parte aquae,** *i.e.* of the river Tyne. **Willelmus de Graham,** note to LXXII. **Durandus the Sheriff,** probably of Haddingtonshire; a different man from Durandus miles, who is a witness to CLXXXVI. **Richard**—'clericus,' I think, omitted. **Osbert, Prior of Edinburgh.** He became the second abbot of Holyrood in 1150, and died in the same year. **Malbet de Libertune.** See note to LXXII. **Gillandris son of Oggu** may be the son of that Oggu who was one of the 'Judices Cumbrenses' of the Inquisitio (p. 46). **Gille son of Mercheh, Ulfchil son of Merewin,** and **Sewale miles** are here said to have assisted in the perambulation, their names are omitted in the charter by Earl Henry, CXXXV. **Toraldus archidiaconus,** Archdeacon of Lothian. See note to LXXXI.

Villa de Hadintune. It is not here called a burgh; but in charters CCIII. and CCXXX. the King speaks of his burgh of Haddington. In CCLX. Countess Ada says, "In burgo meo de Hadingtona."

p. 102. **Theinus** (p. 94, CXXII.) was one of the King's vassals. The grant of the church lands was not to interfere with the rights of those already holding land in Haddingtonshire. **Testibus.** There is a long array of witnesses who met at Perth on the 14th of June. The year is not given. Most of the witnesses have been already noticed. **Roger, the Prior of Dunfermline,** is not mentioned elsewhere though Roger Presbyter is a witness to several charters in the Register of Dunfermline. **Robert de Sigillo,** a witness on pp. 102, 104, 132, 134, 138. Can he be the Robert de Sigillo who received the Bishopric of London from the Empress Maud in July, 1141, and died in 1151 or 1152? "Vacarit sedes Lundonia et ad ipsius favorem Rodbertus de Sigillo . . . qui fuit Cancellarius regis Henrici nunc Monachus de Redingas vir bonus ad regimen illius sedes accitus est." John of Hexham (Twysden, 269).

CXXXV.

Registrum Prior. S. Andreae, fol. 91 b; Bannatyne Club edition, p. 191.

Earl Henry repeats the grant made in the King's charter CXXXIV. It is curious that though the King stated that his son Henry assented, Henry in this charter says nothing about the King's grant; he speaks as if he had agreed with the Archdeacon, and as if he alone granted or confirmed Clerchetune to the church of St. Mary. It is possible that the King's charter was granted when Haddington was in the King's hand, that it afterwards was given to Earl Henry and his wife, the Countess Ada, and that to make the rights of the church more secure this confirmation was obtained, in which Earl Henry's chancellor contented himself with copying the King's charter, leaving out the names of three of those who perambulated and correcting a mistake in the King's charter where "ecclesia" had been inserted in a wrong place.

p. 103. **Testibus** . . . The names of the witnesses and the place of granting are different from those in the King's charter. **William Masculus** appears also in the charters on pp. 105 and 159. He is supposed to be the ancestor of the Maules.

CXXXVI.

Cartulaire de l'Abbaye de Thiron, edited by Lucien Merlet, Chartres, 1883, No. 60, fol. 49.

The Abbey of Tiron, near Chartres, in France, was founded by St. Bernard, circa A.D. 1109. St. Bernard was held in great reverence and affection by King Henry I. of England. Before David I. succeeded to the throne of Scotland he was the pupil and friend of St. Bernard, who gave him some of his monks to fill the monastery of Selkirk, the earliest of David's foundations. St. Bernard died in 1116. From the mention of John, the Bishop of Glasgow, and from the witnesses, I think that this charter was granted soon after the return of the Bishop from Tiron in 1138.

Tiron was a quiet inland monastery in rural France, far from the sea, and this grant exempting from can a ship of the convent, wherever it may touch in Scotland, seems a privilege of which the monks would never have the opportunity of getting any advantage; but perhaps they looked for a supply of dried sea fish from the Scottish coast, and this charter may have been of use to those from whom they bought fish.

p. 104. **Testibus** . . . M. Lucien Merlet, the learned editor of the Chartulary, has several notes on the witnesses. He says that **Robert Burgunnus** was Robert de Bourguignon, Seigneur de Sablé, third son of Robert de Bourguignon, Seigneur de Sablé, who joined the Crusade in 1096. This is doubtful. Robert Burgunnus, was, I think, the Sir Robert Burgonensis who held lands in the west of Fife, and with whom the Keledei of St Serf's had a litigation early in King David's reign. M. Merlet identifies '**Edward**' as the son of Siward "lequel était lui-même le second fils d'un autre Siward Comte de Northumberland et de Huntingdon, dont le fils aîné était Waltheof le beau-père de David." This is at best uncertain. **Dunecano comite.** The witnesses are not arranged in order of their rank, and M. Merlet confuses this Duncan, who was Earl of Fife, with an unknown descendant of King Duncan II. **Rogerio.** M. Merlet says: "Neveu de l'Evèque de S. André et le fils de Robert aux Blanches mains, Comte de Leicester et de Peronnelle de Grandmesnil. Il succéda à son oncle dans l'évêché de S. André." I am obliged again to differ from the learned editor. Robert, Bishop of St. Andrews, was of humble birth, in no way connected with a subsequent Robert, Bishop of St. Andrews, who was nephew of King David's daughter-in-law, Ada, Countess of Northumberland. **Apud Cluni** is, I think, Cluny in Perthshire, and not the celebrated French abbey. It is not likely that so many Scotsmen would be together in France.

CXXXVII.

From the Cartulaire de l'Abbaye de Thiron, fol. 48, Vol. 2, p. 14. The original charter on parchment is said to be preserved.

This is a repetition and confirmation by Henry, Earl of Northumberland, of his father King David's grant to the Abbey of Tiron.

p. 104. '**at**' **comes**, clerical error for '**et.**'

Applicaverit and **applicaverint**, clerical errors for applicuerit and applicuerint.

CXXXVIII.

Farrer's Lancashire Chartulary, p. 274; Register of Shrewsbury Abbey, No. 322.

King David grants protection to the Abbey of Shrewsbury and confirms its right to half of the land of Biscopham. It is probable that King David acquired the Honor of Lancaster, north of the Ribble, in 1139 by the Treaty of Durham. Mr. Farrer (p. 296), speaking of the first treaty in 1136, said that King Stephen gave as the price of peace Lancashire north of the Ribble, though King David held the Honor until Whitsuntide, 1149, when he resigned it to Ranulf, Earl of Chester. John of Hexham (Twysden, 277, Surtees Soc., Vol. 44, p. 159): "Remisit autem idem Ranulfus indignationem qua Karleol sub patrimoniali jure reposcere consueverat, fecitque homagium eidem regi David. Convenit enim sermo inter eos ut pro Karlel haberet honorem de Lanecastre; filiusque Ranulfi Comitis ducturus foret uxorem unam de filiabus Henrici filii regis Scotiae. His diebus rex Stephanus venit Eboracum . . . et Rex David et tyro Henricus dux Normanniae et Ranulfus Comes Cestriae in unam sententiam convenerunt, junctis viribus in regem Stephani pergere. Processitque rex David cum copiis suis ad Lancastra et Henricus praedictus cum eo, ibi enim Ranulfus Comes promisit cum collectis agminibus suis occurrere illis. Qui, nichil eorum quae condixerat prosecutus, avertit propositum eorum. Ic circo Henricus dux in patriam suam reversus in militaribus se exercuit disciplinis. . . ."

p. 105. The Benedictine abbey of **St. Peter's of Shrewsbury** was founded about A.D. 1087 by Earl Roger de Montgomery, who brought monks from Seéz (Eyton, History of Shropshire, I., p. 35; V., p. 170). In 1094 Earl Roger granted to the Abbey of St. Martin of Seéz the church of St. Mary of Lancaster, and confirmed the grant by Godfrey the Sheriff, of the tithes of Bischopeham (Farrer, p. 290). There is a writ (Farrer, p. 273) from King Henry I. to Stephen, Count of Mortain, A.D. 1129-1133, commanding him to allow the monks of Shrewsbury to

hold the moiety of Bispham free from all dues, pleas, and services. Before 1141, the Abbot of Shrewsbury gave to the Priory of Lancaster one team land of his demesne of Bispham and the tithes of Laton and Warbreck (Farrer, p. 276). In 1147 the Abbot of Shrewsbury granted the chapel of Bispham to the Abbey of Seéz (Farrer, p. 283).

Bispham is on the coast of Lancashire, north of Blackpool; it is now united to Norbreck.

Testibus . . . Hugh de Morevill. Farrer says he was the Lord of Ishall and Burgh-upon-Sands; but that is a mistake; the witness was Hugh de Moreville, the King's friend, in Scotland Lord of Lauderdale and Cunningham. **Henry son of Swen** is a witness to a charter by King David to Dunfermline, No. 4. He had a great estate in Cumberland. **Chulch**, probably Kelso, but Mr. Farrer suggests that Chulch in this charter and 'Novum Castellum de Culchet' in charter CXXXIX. are Culquith in Cumberland, which appears as Culchet in the Pipe Rolls of Cumberland, in the 5th year of King John.

CXXXIX.

Register of the Abbey of Shrewsbury, No. 87; Farrer, p. 275.

Charter of protection and confirmation by King David to the monks of Shrewsbury of the church of Kirkham and land of Bispham.

p. 106. **Chircheham.** Kirkham is a parish in Amounderness in Lancashire, north of the Ribble. In 1094 Roger 'the Poictevin' granted to the brethren of St. Martin of Seéz at Lancaster the church of Kyrkham (Farrer p. 290), and about the same time Godfrey the Sheriff granted the same church to the Abbey of Shrewsbury (Farrer, p. 270). The two monasteries disputed as to their rights. Bernard, Bishop of St. David was chosen arbiter. He gave this award:

"Bernardus Episcopus Dei gratia de Sancto David universis sanctae ecclesiae fidelibus eternam in Domino salutem.

"Scire volo fraternitatem vestram quod ego interfui placito inter Abbatem Salopesberiae et fratres Sagienses apud Lancastriam agitato de ecclesia de Kirkeham, in quo idem fratres cernentes non se posse obsistere multiplicibus munimentis quae Abbati de justa ejusdem ecclesiae possessione suppetebant, concesserunt justae ejus calumniae ita ut Prior eorum Johannes nomine ecclesiam ipsam cum omnibus appendicibus Abbati per clavem contraderet, omne jus abnegans quod in ea prius habere videbantur, decimam quoque Dominii de Waliton quam ipsi fratres de Lancastro tenebant, concesserunt imperpetuum Ecclesiae Salopesberiae. Abbas vero pro confirmanda inter eos concordia dedit eis de dominio suo in Biscopeham terram unius carucae et decimam de Latona et de Wardebrec, quibus ita determinatis spopondit memoratus Prior quod hanc conventionem in capitulo Sagii confirmari faceret, et literas Abbatis sui inde adquieret, et tam ipse quam omnes successores ejus res monachorum Salopesberiae sibi vicinas pro posse suo manutenerent et ad placita eisdem rebus necessaria rogati venirent. Huius conventionis ego mediator ac testis extiti et mecum Jordanus Cancellarius Regis Scotiae, et clerici mei

Johannes et Walterus, Hugo presbiter et plures alii." (Register Shrewsbury Charter, 373; Farrer, Lancashire Chartulary, p. 276.)

Between 1144-1147, William, Archbishop of York, granted a charter to the monks of Shrewsbury (Farrer, p. 280), reciting that during the episcopates of his predecessors the monks of Shrewsbury had often complained that they had been unjustly deprived of the church of Kirkham; he (thereto commanded by the Papal Legate) had heard the case in the Synod at York, and the Synod had unanimously agreed that the church of Kirkham should be restored to Shrewsbury, the Abbot of Shrewsbury in return giving to the brethren of Seéz at Lancaster a part of Bispham and the tithes of Laton and Warbreck; David, King of Scots, holding the Honor of Lancaster, granted these two charters. In 1147-1148 there was a composition between the Abbot of Shrewsbury and the Abbot of Seéz confirming the church of Kirkham to Shrewsbury (Farrer, p. 282).

CXL.

Registrum Prioratus de Wetherhal, Dr. Prescott's edition, p. 312; Dugdale's Monast., III., p. 595.

David, King of Scots, addressing the barons, sheriffs, and all his liegemen of the whole of Cumberland and Westmoreland, announces that he has confirmed the land and place which Adam the son of Swain granted in perpetual alms to the church of St. Mary at York and to the monks of Wetheral. The King declares that the monks and their servants in the foresaid place are in his peace and under his protection.

p. 106. **Adam the son of Swain** the son of Alric had great estates in Yorkshire, Cumberland, and Westmoreland (Farrer, Lancash., p. 294); he was Lord of Hornby aud Croxton. He had a large tract of country east of the river Eden, including the parishes of Kirkland, Melmorby, and Ainsleth, granted to him by Henry I. He gave land to the Priory of Pontefract; he founded the Priory of Monkbretton (Dugdale, Monast., v., p. 136). In the Pipe Rolls for A.D. 1159 he appears as receiving a hundred shillings under the King's writ.

CXLI.

The original is preserved in the Charter Chest of the Earl of Morton. The seal is missing. It was printed with a facsimile by Anderson, Diplomata, and in the Liber de Melros (with a facsimile). Bannatyne Club edition, I., pp. 3 and 365.

Melros was the first Cistercian monastery founded in Scotland. In 1098 the Abbey of St. Mary at Citaux was built by some Benedictines

who adopted more austere rules and who were thereafter known as Cistercians. About 1128 two monasteries of the new order were established in England at Waverley and at Furness, and in 1132 Walter Espec brought Cistercian monks to Rievalle. From that Yorkshire abbey King David brought a colony in March, 1136, to a place on the Tweed not far from old Melros, where, some centuries earlier, there had been a religious house connected with Lindisfarne, of which at one time St. Cuthbert was the Abbot. The old monastery at Melros had been destroyed long before 1136, but the Priory of Durham retained some rights in the church, for the loss of which Durham was compensated by a grant of the church of St. Mary at Berwick.

The Cistercian monastery at Melros was founded immediately after the agreement between King Stephen and King David in February, 1136. The earlier charters have not been preserved. This charter is a curious composition, embodying two grants, the first made probably in 1136, the second not earlier than 1143. The earlier of the two was of the lands of Melros, Eldon, and Darnwick, with rights in the King's forests and fishings in the Tweed. It was given at Erchildun in June, probably June, 1136; but many writers are of opinion that Bishop John (who is a witness) left his diocese in 1133 and was a monk in the monastery of Tiron until he was recalled in 1138. There is, however, reason to hold that Bishop John did not go to Tiron before the end of 1136, and to me it seems probable that the grant of Melros, Eldon, and Darnwick, was made soon after the Cistercian monks arrived from Rievalle, or at latest on the day of the foundation or dedication of the church. The King and his son were present with a number of Norman barons, who are placed first in the list of witnesses, then follow the names of "homines de eadem terra," which I take to be Tweeddale. The first of these is Gospatric the Earl. If this grant was made in 1136, he was the Gospatric who was killed in 1138 at the Battle of the Standard. Another of the men "de eadem terra" was 'Robert Brus Meschin,' the son of the great Yorkshire baron, to whom his father transferred Annandale. The lands granted include the site of the monastery and the surrounding land, with two granges, Eldon and Darnwick, on the other side of the Tweed. King David afterwards granted as an 'incrementum' the land of Galtuneschalech and the land and wood of Galtunesside, as these had been perambulated by the King and by his son Henry and Abbot Richard on the Friday, the day after Ascension Day, in the second year after Stephen, King of England, was taken prisoner.

p. 107. **Rieuall.** The Abbey of Rievalle or Rievaulx was founded in 1132 by Walter Espec on the bank of the Rie, in Yorkshire. In the

version in Anderson's Diplomata instead of 'de Rievall' are the words 'Cysterciensis ordinis.'

Melros, Eldune, and Dernewic are described in the endorsement on the charter as three granges, and from this and from the manner in which they are described, it is probable that the monks had a grant in full demesne of these lands; they were not the feudal superiors of vassals holding the lands under them, they were to hold and possess and cultivate. Besides these, they had the right to pasture their animals, 'averia,' which included cattle and sheep, and to take wood for burning and for building ('ligna et materiem') from the King's lands.

p. 108. **Galche et Leder**, the rivers Gala and Leader.

Praeter . . . Ridel. These words are interpolated in the original charter, which, I think, ran on from 'ubique' to 'volo itaque.'

Galtuneschalech and Galtunesside. The first of these lands does not appear in the Register of Melros, except in the charters of David I. and his son Earl Henry. Galtunesside is Gattonside on Tweed.

Abbas Ricardus. (Morton, Mon. Ann., p. 202): "Richard the first abbot is said to have been a man of strict piety and integrity and greatly esteemed at Court on account of his learning, eloquence, and other good qualities, but little loved by his convent on account of the warmth of his temper and the harshness with which he exercised his authority. For the faults which sprang from this defect in his character he was removed from his office by William, Abbot of Rievalle. . . . He retired to the Abbey of Clairvaux, in France, where he died. . . . He opposed the appointment of William Cumin, Chancellor of Scotland, to the see of Durham, having discovered that the letters he produced, as from the Pope, confirming his election were forged."

Die Veneris crastino Ascensionis, the day after Ascension Day.

Anno scilicet secundo quo Stephanus Rex Angliae captus est. King Stephen was taken prisoner at Lincoln on the 2 February, 1141. Ascension Day in the second year after that was 14 May, 1143.

Hoc praesens donum is the second gift—the 'incrementum' of Galtuneschalech and Galtunesside witnessed by John the Bishop of Glasgow, William the King's nephew, Hugh de Moreville, William de Sumerville, and Gervase Ridel.

Testibus . . . These are the witnesses to the Foundation Charter to Melros. **Willelmo cancellario** shows that it was granted before May, 1140. **Madd. comes** is probably Madach, Earl of Athol. The others are well-known English friends of King David; many of them held lands under him in the Earldom of Northampton.

CXLII.

Registr. Vetust. of Melros, in the Adv. Library, Edinburgh. Printed in the Liber de Melros, p. 4.

This is the confirmation by Henry, the King's son and heir, referred to in the preceding charter by King David. It was granted some years after Earl Henry's marriage in 1139, for he refers to his wife, the Countess Ada, and to their sons. The Countess Ada was a daughter of William Warrenne, second Earl of Surrey, by Elizabeth de Vermandois, formerly the wife of Robert de Beaumont, Earl of Leicester. Her mother left her first husband and lived for many years with Earl Warrenne, and had eight children by him before she married him.

In 1139 Countess Ada married Henry, Earl of Northumberland, only son of David, King of Scots. She got for her dower Haddington and Crail. They had six children: *Malcolm*, born March, 1142 (King of Scots, 1153-1165); *William*, born 1143 (King of Scots, 1165-1214); *David*, Earl of Huntingdon, born 1144, died 1219; *Ada*, married in 1161 Florence III., Count of Holland; *Margaret*, married in 1160 Conan III., Duke of Bretagne; her daughter Constance married Geoffrey, son of Henry II., and is the Constance of Shakespeare's King John; *Matilda*, died unmarried in 1152.

The Countess Ada was the sister of William, 3rd Earl Warrenne, who was killed by the Turks at Laodicea in Jany., 1148, and half-sister of Waleran, Count of Meulan, and of Robert, Earl of Leicester. Her nephew became Bishop of St. Andrews; one of her sisters, Gundred, married Roger, Earl of Warwick; a niece married William de Blois, a son of King Stephen. Her husband died in 1152; she survived him for 26 years, and died in 1178.

CXLIII.

Registrum de Dunfermelyn, fol. 6 b; Bannatyne Club edition, p. 10, No. 7.

It appears from this, that before 1147 the canons of Stirling held land in Cambuskinel, which owed tithe to the Abbey of Dunfermline; by this the King gave to Dunfermline the tithe of Brixwald's land in Atherai in exchange for the tithe of the canons' land in Cambuskinel.

CXLIV.

Registrum de Neubotle, Bannatyne Club edition, p. 3, No. 2.

King David states that he has granted Neubotle in perpetual alms to the church and monks of St. Mary's, except two ploughgates which

he had given to Robert the iron-smith. His son Henry assents to and confirms the grant.

The Abbey of Newbattle was the second Cistercian monastery founded by King David. Shortly before 1 November, 1140, the monks were brought from Melros with Radulph, who was the first Abbot.

p. 111. **Neubotle**, where the abbey was placed, is in Mid-Lothian, on the Esk.

Robert Ferrario—ferrario, erroneously printed Ferrario. He was not one of the noble family of de Ferrers, but a local blacksmith. The date, **1 Nov., 1140**, corrects the Chron. of Holyrood, which gives 1141 as the year in which the Abbey of Newbattle was founded.

Hugo de Moreville, constable. This is his earliest appearance as constable. Perhaps Edward the Constable, his predecessor, was killed at the battle of the Standard in 1138.

CXLV.

The original is in the possession of the Marquis of Lothian. The seal is missing. Bannatyne Club edition of the Registrum de Neubotle, p. 13, No. 17; with a facsimile.

David, King of Scotland, addressing the bishops, abbots, earls, etc., and all the liegemen of his kingdom, French, English, and Scots, announces that he has granted to God and to St. Mary of Neubotle and to the monks serving God there, Morthwait, described by boundaries, to be held "in elemosina."

p. 111. **Morthuweit** is Moorfoot, an extensive hill district of about 10 miles in length and 6 miles in breadth in the county of Edinburgh. In the next charter it is stated that King David had perambulated the boundaries.

p. 112. **Castellum puellarum**, Edinburgh Castle.

CXLVI.

Registrum de Neubotle, Bannatyne Club edition, p. 14, No. 18.

King David states that he has granted to the church of St. Mary of Neubotle, and the brethren serving God there, Neubotle and Morthwait, which he had perambulated, accompanied by Hugo de Moreville, Walter de Rydale, Richard de Castello, Petrus son of Kercambaldus, and other barons. He also confirms to the abbey its right to Ruchalech, and the land which Robert the blacksmith gave, and a salt-pan in Blankeland and pannage in the King's forest and wood for building.

p. 112. **Neubotle**: granted by charter CXLIV. **Morthwait**: granted by charter CXLV. **Ruchalech** was granted by charter CXLVIII., which ought to have preceded this. **Blankeland** probably was on the sea coast.

Totum forestum. There was a tract of uncultivated land on the Pentlands and Moorfoot hills which the King held as a forest, and in which he here gives a right of pannage and to take timber for building.

Praesentibus testibus. Oswaldo Carliolensis episcopo: the transcriber made a mistake, Ethelwald was the name of the bishop, which is rightly given in Earl Henry's confirmation, No. CXLVII.

CXLVII.

Registrum de Neubotle, Bannatyne Club edition, p. 14, No. 19.

Earl Henry repeats his father's grant, CXLVI., some years later than 1142. The Abbey of Stirling was not founded until 1147. Alwyn resigned the Abbacy of Holyrood in 1150, about which time Osbert the Prior became Abbot of Jedburgh.

CXLVIII.

Registrum de Neubotle, Bannatyne Club edition, p. 3, No. 1.

King David grants Ruchale to the monks of Neubotle. On the margin of the Register is written "Situs Monasterii." Ruchale is the same as Ruchalech in charters CXLVI. and CXLVII.

p. 114. **Alwyn, Abbot of Edinburgh**, 1128-1150. **Gilbert the Prior.** There is no Prior Gilbert mentioned in the Charters of Holyrood; probably he was Prior of Newbattle. **Edward the Chancellor.** Edward became chancellor after William Cumyn ceased to hold the office, when he went to England to take forcible possession of the Bishopric of Durham, Edward remained chancellor until he was elected Bishop of Aberdeen. Edward the Chancellor was a witness to charters on pp. 115, 119, 120, 121, 122, 124, 131, 136, 138, 140, 141. He was succeeded in the chancellorship by Jordan, who held the office for a short time, and was succeeded by Walter de Bidun.

CXLIX.

Registrum de Neubotle, Bannatyne Club edition, p. 131, No. 162; endorsed "Carta Reg. DD. de Salina in Carsa."

King David grants to the brethren of Neubotle a saltpan in Kalentyr—Callendar, in Stirlingshire, on the Forth. This was confirmed by King Malcolm IV. (p. 131, No. 163) with the addition of a common easement in pastures and waters and fuel for the saltpan from

the wood of Kalentyr with common pasture, free of all custom and secular exaction. The monks of Newbattle became owners of many saltpans. King Malcolm IV. granted to the monks the arable land which they had in Kalentyr in perpetual alms, paying therefor to the King's 'Bondi' four shillings sterling annually. King Alexander II., on the occasion of the dedication of the church of St. Mary of Neubotle, confirmed its right to saltpans, the brethren of Torphichen and the nuns of Manuel received a payment from the rents of these, which payment the King engaged to make in the future. King Alexander by another charter (No. 166, p. 133) assigned to the Abbey of Neubotle four marks annually from the rents of his saltpans in the Carse. David de Lindesay granted to the abbey the saltpan which King William granted to William de Lindesay, his grandfather. The monks took on lease, for twenty shillings a year from the Abbey of Dunfermline, the saltpan lying between that of the monks of Kelso and that of the canons of Cambuskenneth ; Newbattle also took on lease from the Abbey of Kelso its saltpan for half a mark a year, and a saltpan from the master and brethren of the Temple (at Blantrodoch) for fifteen shillings a year. The abbey continued to increase its salt works, for it got from Nicolas de Sules the saltpan in the Carse of Callendar, which Walter, son of Alan the Steward, gave to him. In 1255 the Abbot and Convent of Neubotle leased to the Abbey of Holyrood two saltpans which they held of Walter Olyfard and Sir David Cumyn (Reg. de Neubotle, p. 135, No. 171).

CL.

Registrum de Neubotle, Bannatyne Club edition, p. 4, No. 4.

A grant by the Abbot and Convent of Holyrood to the Abbot and Convent of Newbattle of the land of Ruenhale instead of the land of Dalkeith which Holyrood received from the King.

p. 114. **Alwynus** was the first abbot of Holyrood. Father Hay (Dipl., 280, Charters of Holyrood, Preface, p. xviii) said of him : "Alewynus, Sancti David regis confessor : scripsit is homilias pias lib. 1. epistolas ad diversos lib. 1. *Dempst.* Cultu publico fato functus venerabatur, populi frequentia, beneficia nec frustra postulantis, invocato etiam in litaniis ejus auxilio. Ejus meminit liber diplomatum de Newbotle, ad pag. 257 ubi Alwynus dicitur. Communi acclamatione totius populi censetur Sanctorum Albo ascriptus. Excitatum super corpus ejus altare, qui mos canonizandi Sanctorum tum erat receptus, nondum edita Alexandri III. constitutione. Eo vivo, Rex utensilibus Fanum locupletavit : alii donaria et redditus contulerunt. Dempsterus tradit ecclesiam contemplatione abreptum, curae renunciasse, anno 1141." That date, 1141, is a mistake, because the Chronica S. Crucis states that he resigned in 1150. Chalmers,

Caledon., 2, p. 753, says that the abbot died in 1155; but he gives no authority. Abbot Alwyn was a witness to charters, pp. 113, 117, 147, 152, 158, 181, 186.

Ruenhale may be Ruchale, or Ruchalec, which King David granted to Newbattle by charters CXLVII. and CXLVIII., p. 113. The land in Dalkeith was granted to Holyrood by King David in exchange for 'Rhuchale' by charter CLX., p. 122.

CLI.

The original is in the Charter Chest of the Marquis of Lothian at Newbattle. It is printed in the Bannatyne Club edition of the Regist. de Neubotle, p. 5, No. 5, with a facsimile, and in Holyrood Charters, p. 9, No. 7. It is endorsed "de remotione de Pettendrei."

Alwyn, Abbot of Holyrood, announces to the King, and to the bishops, earls, and barons of Scotland, that he and his chapter had acknowledged to Ralph the Abbot and Convent of Newbattle, with the approval of King David, that the vill of Pittendreia should never be moved nearer towards Newbattle than it was on the day when the convent first went there.

p. 115. **Ralph Abbot.** Mr. Cosmo Innes in the Preface to the Register of Newbattle, said: "Father Hay, not speaking loosely after his usual manner, but evidently founding on some monastic authority which has not been preserved to us, narrates the numerous privileges and gifts which this Abbot obtained for his convent and his consecration of a cemetery within a precinct of the monastery. The Abbot," he says, "was a person of beautiful presence. He was continually occupied in divine meditation, for from his youth he had loved his Creator with all his heart. It is said that once, while he was engaged in prayer in his cell, the devil appeared to him, blacker than pitch. Abbot Ralph assisted at the settlement of a controversy concerning the Crag of Treverlen between the Abbots of Holyrood and Kelso, some time before the year 1150. In the last year of the pontificate of Innocent II. he obtained a bull, confirming to Neubotle the general Cistercian privilege of immunity of lands in their own occupation from tithes, and ratifying the grants already made to the new abbey, especially those of King David and his son, Earl Henry. Of his death we have no record."

Pettendreia, Pittendreich, near Lasswade, was the property of the Abbey of Holyrood (charter CLIII., ante, p. 117). It was leased in 1377 to Sir James de Douglas.

Proprius is a clerical error for 'propius.'

Fundata enim . . . The Chronica de Mailros, p. 71, states under the year 1140 "Facta est abbatia de Neubotle." The editor of that chronicle in a note says: "Fordun I., 296, agrees with this date (1140), but it is placed a year later by a chronicle of little authority in the Harl. MS., 2363, fol. 46 b." Keith says 1140. The charter CXLIV. to the abbey is dated November, 1140.

CLII.

The original was in the Panmure Charter Chest. Printed in the Charters of Holyrood, Bannatyne Club edition, p. 10, No. 8.

Norman, the Sheriff of Berwick, addressing all his men of Crostorfin, announces that he has granted in perpetual alms to the Holy Rood of Edinburgh, and to the abbot and brethren serving God there, his chapel of Crostorfin.

p. 115. **Normannus Vicecomes de Berwic** was a witness to charters pp. 79, 105, 119, 140, 147.

Crostorfin, 3 miles west of Edinburgh, named probably from a cross erected by Torphin. The chapel was dependent on the church of St. Cuthbert in Edinburgh. It had two bovates and six acres of land. The chapel was disjoined from St. Cuthbert's in the reign of Alexander II. and was made a separate parish; the church remained the property of the Abbey of Holyrood till the Reformation. The barony of Crostorfin, in the reign of Alexander II., belonged to the King's Marshal. David, the King's Marshal, gave a part of his land in exchange for two acres which belonged to the chapel (Holyrood Charters, p. 215). Sir David the Marshal was forfeited in the reign of David II., when the lands passed to Sir William More of Abercorn (Rob., Chart., 120). They were sold (temp. Robert II.) to Adam Forrester. Sir John Forrester founded the church of St. John, which in 1429 was made a collegiate church.

Edward the Chancellor, see note to CXLVIII. **Turold the Archdeacon**, note to LXXXI., p. 68. **Richard the cleric of Edinburgh**, pp. 69, 103.

CLIII.

The original charter is the property of the City of Edinburgh. It was printed with a large facsimile in the Charters of Holyrood, Bannatyne Club edition, p. 1, and in 1 Act. Parl. Scot., p. 358.

It is a confirmation by King David of the lands, rights, and privileges, of the Abbey of Holyrood. There was a tradition that on the festival of the Exaltation of the Cross, after mass, King David went hunting, contrary to the advice of Alwyn, his confessor. In the forest under Arthur's Seat the King was attacked by a stag which had between his antlers a holy cross, which the King took, and the stag vanished at the Rood Well. That same night, by a vision in his sleep the King was admonished to build an Abbey of Canons Regular at the place where the stag surrendered the holy cross to him. He obeyed the directions of the vision; canons were brought, and Alwyn the confessor was appointed the first abbot. At first the canons were lodged in the castle; in 1128 the foundations of the abbey were laid on the present site.

This charter was written some years after the church was consecrated, when the canons, under their first abbot, Alwyn, were in residence. Though the charter is undoubtedly genuine, all the witnesses cannot have been present together; they may be those who attested the separate grants of which this is a confirmation. For instance, Edward the Chancellor was not a contemporary of Gillemichael the Earl, nor of Gospatric the brother of Dolfin; both of these were dead before Edward became Chancellor.

p. 116. The words "**assensu Henrici filii mei et episcoporum regni mei comitum quoque baronum confirmatione et testimonio, clero etiam acquiescente et populo**" do not imply a meeting of the estates of the realm, at which the question of approval was put; they seem, to me, to be a statement by the King that all the people of his kingdom approved.

Ecclesia . . . castelli. The King, some years before, had granted to the church and canons of Holyrood the church of the Castle of Edinburgh; that grant (if it was in writing) has not been preserved.

Examen duelli was a grant of jurisdiction. The priory of Scon had a grant of jurisdiction "scilicet in duello in ferro in fossa et in omnibus aliis libertatibus ad curiam pertinentibus." Only the superior Courts had right to allow the wager of battle or the ordeal of fire or water. In these higher courts the King's Justiciar sat to see that justice was done. The grant of the right to allow the ordeals, the 'examen duellii,' etc., was an extension of the right given in ordinary Baronial Courts.

Salectunia, or 'Saletunia,' is a plantation of willows.

Liberton, a parish of 6600 acres, 2½ miles S.E. of Edinburgh. The church of Liberton was a chapel of St. Cuthbert's. It was served by a chaplain appointed by the canons of Holyrood. The land of Upper Liberton, with the church, in the reign of David I., belonged to Macbead; his grant of the chapel and of two bovates of land and of rights in Legbernard has not been preserved; it is here confirmed by the King. It is not clear what were the rights "tam de vivis quam de mortuis de Legbernard." Chalmers 2, p. 780, says Legbernard cannot now be traced, but later investigations have made it probable that Legbernard is Leadburn in the parish of Penicuik. Sir Gregory de Malvilla granted to the monks of Neubotle a stone of wax yearly from the rents of his lands of Legbernard. The King owned another part of Liberton, for in this same charter King David granted to the canons 30 cart-loads of bush, I presume for firewood. The mill of Liberton belonged to the Crown, and grants of chalders of barley and meal and of money from the mill were made by David I. and by William the Lion (p. 170, etc.). Macbead of Liberton witnessed three charters by King David: Holyrood 3 (p. 8) and 6 (p. 9) and Neubotle 1. There was in later times a family of 'de Liberton.'

King David's grant of the church of **Hereth** (Airth) is preserved, the King added to the endowment by giving a saltpan and 26 acres of land, which he and 'probi homines' 'perambulated,' he also gave permission

to the canons to have a mill there and to enjoy all the rights which the King had in his demesne.

p. 117. **Broughton** lay between Edinburgh and Leith.

Inverleith. This is now the burgh of Leith, and probably included what was afterwards called Newhaven.

Petendreiam, Pittendreich, near Lasswade. When the King gifted land adjoining to it to the Abbey of Newbattle, the Abbot of Holyrood engaged to preserve the then existing boundary. In 1377 the abbey leased it to Sir James Douglas of Dalkeith.

Hamere, Whitekirk, in East Lothian. The church was dedicated to the Blessed Virgin. Robert, Bishop of St. Andrews, confirmed the right of the canons to the church of Hamere with all its appurtenances, and Hamera and Forda with their right boundaries. Richard, Bishop of St. Andrews, confirmed the right to the church. William the Lion confirmed Hamera and Forda, with the boundaries, and the church of the same vill, with everything which belonged to it, as the charter of Robert, the Bishop of St. Andrews, witnessed. Alexander III. confirmed "Brochtun et Hameram."

Fordam: Forda, a land in Whitekirk, where, it seems, there was an hospital for travellers. In 1611, John Lord of Holyrood House was served heir of his father in the lands of Whitekirk and Furde.

Quadraginta solidos de meo burgo de Ewinesburg: a clerical error for Edwinesburg. I copied from the Charters of Holyrood; but it is Edwinesburg in the original. The grant was confirmed by William the Lion and by Robert I.

Cano meo de Pert. If the King's can from ships at Perth did not amount to the large sum of one hundred shillings, that sum was to be made up by an additional forty shillings from the rent of Edinburgh, forty shillings from that of Perth, and twenty shillings from that of Stirling. The King granted tofts in Stirling, Edinburgh, Berwick, and Renfrew.

Scypwel: a fishing in the Tweed.

Particarum: an error for 'perticarum.'

Allechtia is a misspelling of 'allecia. Allecium,' a herring. Though 'ibi' in this charter refers to Renfrew, herring are so essentially sea fish that it is doubtful whether they ever came so far up the river Clyde. In the foundation charter to the Abbey of Paisley, Walter's son Alan grants "VI retia ad allecia capienda." The Leges Burgorum, No. 9, and the Statuta Gildae, Nos. 26. 27, 41, regulate the sale of 'allec' or 'alleces,' which is translated 'herring' in the old Scots version. In the confirmation of this charter to Holyrood by King William, the words "et ibi piscari ad allechtia," etc., are omitted, and though the Bull of Pope Eugenius mentions the toft in Renfrew, it says nothing of fishings either of salmon or herring.

p. 118. **Camera.** Mr. Cosmo Innes, in a note to the Preface to the Act. Parl. Scot., says: "'Camera regis' in early Scotch charters, as in the writings of the Continent, was the technical name for the Treasury." The King's Camerarius was a frequent witness, and to him doubtless were paid the King's rents and can, etc.

The other privileges granted to the Abbey of Holyrood are numerous and varied.

Although the early kings of Scotland had only a precarious tenure of Argyll and the Western Islands, King David here granted to Holyrood a half of the tithe of the can, pleas and gains of the Crown in Kentyr and Errogeil, which was confirmed by King William the Lion, King Robert Bruce, and by subsequent kings till James II. in 1450. A little later than this grant to Holyrood, King David granted the other half of the tithe of Kentyr to the Abbey of Dunfermline, which grant was confirmed by subsequent kings. King David granted the tithe of the royal can, pleas and gains of Argyll to the Priory of Urchard in Morayshire.

The canons availed themselves of the license to build and create a burgh on the land between the church of Holyrood and the King's burgh of Edinburgh by making the burgh of the Canongate. Within their burgh the burgesses had the same rights of buying and selling in the King's market as the King's burgesses had.

p. 119. **Theloneo . . . consuetudine** : is a complete exemption from toll and custom throughout the kingdom.

Pandum is the same as 'namum' ; 'pandum capere,' to take pledges or to distrain.

Sicut episcopus . . . habent. Very little is known of the jurisdiction of these courts. The style "Abbot of Kelso" shows that this charter was granted after Kelso was founded in 1128. For several years after its foundation the abbot was called the Abbot of Roxburgh. The Priory of Dunfermline was not raised to the rank of an abbacy until 1128.

His testibus. These witnesses were not all contemporaries. Robert de Monte Acuto was a witness to the Great Charter of Dunfermline along with Herbert the Chancellor and Constantine, Earl of Fife. Peter de Brus and Turstanus de Crectune do not appear in any other record of King David's reign. Oggu and Leising were 'judices Cumbrenses' as early as 1120. It seems to me probable that when the canons of Holyrood applied for a general charter of confirmation, they sent to the Chancellor their written grants of lands and privileges and that these were embodied in this confirmation ; the list of witnesses here being a selection from the names of the witnesses of each of the older grants.

CLIV.

The original has not been preserved. It was printed from the Small Chartulary of Durham by Dr. Raine, N. Durham, App., p. 6, No. XXV.

It is a mandate to the Sheriff of Berwick and his officers to place and keep Edward the monk of Coldingham in quiet possession of the tithe of the fishing of Halwarestelle and of all waters justly belonging to the church of St. Cuthbert of Holyland. In a short letter (p. 137)

King David requested Edward 'the monk' of Coldingham to send him wood to Berwick.

p. 120. **Halwarestelle** was a fishing in the Tweed. 'Stelle' was a word for a fishing (pp. 85, 169) in a river. Aldstelle and Woodhornstelle are the names of other fishings in the Tweed; "piscatio Coldsteill" is mentioned in the Berwickshire Retours, No. 283.

CLV.

Cartae Prioratus Insulae de May, Dr. Stuart's edition, p. 3, No. 4. It is in the Chartulary of Reading: "Carta Davidis Regis Scotiae de donatione Pendewen et Inverin ecclesiae de Mai."

King David grants Petneweme and Inverin to the church and brethren of May.

The islet of the May in the Firth of Forth, six miles south of the Fife coast, is a mile long by three-quarters of a mile broad. The tradition was that Adrian, a Hungarian, with a large company, converted many of the people of central Scotia in the ninth century, and that he was killed on the island of May by the Danes circa A.D. 875. Wyntoun, VI. 8, line 629:

"And apon Haly Thurysday
Saynt Adriane thai slewe in May
Wyth mony off hys cumpany
In to that haly Ile thai ly."

In the Breviary of Aberdeen (Skene, Chron. Pict. and Scot., p. 425): "In prefata insula de Maya ad honorem Dei omnipotentis Sanctorumque ejus martyrum egregio lapideo tabulatu antiquitus structum monasterium fuerat, quod ab Anglorum gente bellorum insultu destructum est, sed ibidem hactenus restat ecclesia saepe a fideli populo propter tot virtutum prodigia indies frequentata, ubi mulieres spe prolium habendi venientes non defraudantur, restat insuper ibi cimiterium quam celebre ubi illius et supercelestis chorus roseo sanguine candidati legionis corpora requiescunt."

It is probable that on the isle of May in the beginning of the twelfth century there was a small fraternity of Culdees or monks of the old Scottish Church. King David granted the Priory of May to the Cluniac Abbey of Reading, probably after 1135, when his brother-in-law, King Henry I., was buried in that abbey. May was granted to Reading "in liberam et puram elemosinam . . . ita . . . quod eidem monachi et successores sui Prioratu praedicto per novem de comonachis suis sacerdotibus pro anima praefati Regis David et animabus predecessorum et successorum suorum regum Scotiae divina celebrantibus in perpetuum facerent deservire."

The monastery on the May stood in a hollow on the south-east of the island, protected by higher ground to the west. After the priory became a cell of Reading, the priors were appointed by the English abbey; more than one of the priors were promoted to the abbacy; later the monks of Reading leased the priory to the canons of St. Andrews for a rent of ten merks a year. Towards the end of the thirteenth century the lease was assigned to the Bishop of St. Andrews, and the connection of May and Pittenweem with the Abbey of Reading ceased. A convent was built at Pittenweem, and the monks deserted 'the May,' leaving a priest there. It was a place of pilgrimage till the Reformation. In 1503, 1505, 1506, and 1507, King James V. visited the island and gave alms to the priest of May. In 1508 the hermit of May brought a seal to the King, and got a present of fourteen pence.

p. 120. **Inverin quae fuit Averni.** Formerly it was supposed that Averin was the old name of the place, which had been changed to Inverin, showing a change from the Pictish to the Celtic language; but a closer reading of the record showed that Avernus was the name of the former owner. Inverin is now called St. Monan's. The Priory of May did not retain it. Morgrund, Earl of Mar, granted part of Inverin to the Priory of St. Andrews (Reg. P. S. A., p. 284), and William Cumyn and his wife, the Countess of Buchan, granted half a mark from another part of Inverin to the same priory (*ib.* p. 282).

CLVI.

Cartae Prioratus Insulae de May, No. 5, and Chartulary of Reading headed "Carta ejusdem de communitate nemoris de Clacmanet."

King David, addressing his bishops, earls, sheriffs, officials, the gilleserfs of Clackmannan, and all his liegemen, informs them that he has granted to Achardus the Prior and to the brethren of May, in alms a common right in the wood of Clackmannan.

Gilleserfis. Dr. Stuart, the editor of the Cartae Prior. de May, says: "The term refers to certain officers in the shire of Clackmannan known as the servants of St. Serf, and it is the only instance of which I am aware where such a designation occurs in a Scotch charter. . . . That the district around Clackmannan was connected with St. Serf at an early period . . . seems plain from various circumstances. . . . The term 'gilleserfis' might be applied to the occupants of lands which formerly belonged to a monastery of St. Serf."

p. 121. **Clackmanec** was part of the demesne lands of the Crown. To the Abbey of Cambuskenneth was granted the church and forty acres of land; there are frequent references to the 'nemus,' which remained a forest in 1382, when it was in the possession of Sir Robert Erskine.

CLVII.

Registrum de Dunfermelyn, fol. 6 a ; Bannatyne Club edition, p. 9, No. 5.

Grant of Crefbarrin by King David to the Abbey of Dunfermline.

p. 121. **Crefbarry** is Carberry in Mid-Lothian ; it was part of Inveresk. This grant was confirmed by Malcolm IV., William I., Alexander II., Alexander III., and James II. (Reg. de Dunf., pp. 19, 28, 40, 46, 321), and by Popes Lucius and Gregory IX. The 'boscum de Crebarrin' is mentioned *ib.* p. 103. The Abbot and convent were the overlords ; the lands were held by a family of the same name. Shortly before the Reformation Carberry was feued to Mr. Hugh Rigg : the Rigg family held Carberry for several generations.

CLVIII.

Registrum de Dunfermelyn, fol. 7 a ; Bannatyne Club edition, p. 13, No. 20. It is headed "De muliere leuif et suis fugitivis."

p. 121. **Suos fugitivos,** clerical error for 'suis fugitivis.'

It is a mandate by King David to all his liegemen that wherever H. leuif may be able to find any fugitives they shall be justly restored to her, and that no one unjustly detain them.

CLIX.

Liber de Calchou, fol. 142 ; Maitland Club edition, p. 298, No. 375.

Grant by the King to the Abbey of Kelso of a saltpan in the Carse of Stirling, on the Forth.

CLX.

From the Charters of Holyrood, p. 9, No. 6. The original was in the Charter Chest of Lord Panmure. This should have been printed before CL.

The King granted Ruchale to Newbattle by charter No. CXLVIII. (p. 113), but he found that it already had been granted to Holyrood, and now he compensates Holyrood for the loss of Ruchale by a grant of fifty-two acres in Dalkeith and the tithe of the mills of Dene and of his burgh of Edinburgh and of Liberton. In the Great Charter to Holyrood (No. CLIII., p. 118) the grant is of the tithe of the mills of Libertune and of Dene and of the new mill of Edinburgh.

CLXI.

Cartae Insulae de May, Stuart's edition, No. 1., p. 1, from Rot. Cart. 35, Edw. I., No. 31, per Inspeximus ; Chartulary of Reading : "Carta Davidis Regis Scotiae de donatione manerii de Rindalgros."

King David, addressing his venerable brethren and friends E the abbot and Sir Briencius and the whole convent of Reading, announces that for the weal of his soul and for their needs he grants to God and to the church of St. Mary and to the convent of Reading, Rindalgros, within the boundaries which the King, William Giffard, Herbert the Chamberlain and others had perambulated, to be held in perpetual alms, free from all claims, as freely as any abbacy in the kingdom holds its possessions. If the King or his heirs should so add to the gift that a monastery can be maintained, Reading shall establish a convent at Rindalgros.

I have given as an approximate date 1143-1147, believing these to be the years in which Edward was chancellor.

p. 123. **Rindalgros** is Rhind, a parish in Perthshire, at the junction of the Earn and the Tay. There is a mandate by King David (repeated by King Malcolm IV.) to the men of the Sheriffdom of Perth to pay the tithes due to the monks. No monastery was built at Rindalgros ; the tithes and the patronage of the church passed to the Priory of May, and afterwards to the Priory of St. Andrews, and were included in a lease to the Commendator on 2 September, 1552 (Cartae Insulae de May, p. cii). The lands of Rhind were feued out in 1535 and 1542 to George and John Moncreiff, the tenants, whose lands had suffered by an inundation.

CLXII. CLXIII. CLXIV.

These three charters by Robert, Bishop of St. Andrews, King David, and Earl Henry, establish, endow, and confirm the rights of the Priory of St. Andrews. They are taken from the Register of the Priory, Bannatyne Club edition, pp. 122, 189, 192.

The Bishop's charter is dated 1144 ; those of the King and the Earl were granted shortly afterwards. The Legend of St. Andrew, written about A.D. 1279, gives an account of the circumstances under which these charters were granted. Robert, Bishop of St. Andrews, had at first no cathedral and no chapter. The altar offerings and the endowments of the church of St. Andrew were divided into seven portions, which probably represented the seven churches which tradition (Chron. P. and S., p. 187) said were originally founded in Chilrymont,

viz.: of St. Regulus, St. Aneglas the Deacon, St. Michael the Archangel, the Virgin Mary, St. Damian, St. Brigid, Muren a Holy Virgin. Of these seven portions the Bishop had devoted one to the building of the church—probably the chapel of St. Rule. The amount was small, but by the help of the King gifts were received from the laity, and the work progressed. It is probable that the other portions were held by Culdees who opposed the Bishop. To assist him, Bishop Robert obtained from Adelwaldus, Bishop of Carlisle, Robert, a canon of St. Oswald's, as Prior of St. Andrews. When Prior Robert went to St. Andrews he had no clergy to assist in the service; he remained patient. The King and his son Henry the Earl, accompanied by many earls and magnates of the realm, went to St. Andrews in the year 1144 to pray. Next day, after mass, the King going into the cloister, "such as it then was," proposed to the Bishop that part of the endowment of the Bishopric should be set apart for the support of the clergy of the church. The Bishop answered that it was not lawful for him to deprive his successors of lands which had been given to the see. The King replied that it would be sufficient if the Bishop gave the 'Cursus Apri,' which he could lawfully do, because the lands of the Boar's chase had been granted by King Alexander I., not to the bishopric, but in order that religion should be established in the church of St. Andrews. King David and his son promised to assent to the appropriation of the Cursus Apri. The Bishop yielded to the King's request; he did more, because "quasi sponte coactus" he gave two-sevenths of the altar oblations; these two-sevenths were "de terris personarum quae abeuntibus eis in manum ejus obvenerant."

The first of the new canons was Robert, the uterine brother of the Bishop, who renounced the world and placed himself in the hands of Prior Robert, giving his church of Tyningham and fifty shillings a year to the church.

The lands 'Balrimund' and others were in Fifeshire in the Cursus Apri. Martyn (St. Andrews, p. 93): "The Cursus Apri *i.e.* the Boar's run or the Boar's chase is hard to be defined and bounded now . . . it would seem that (it) contains all the lands from Pitmillie inclusive to the New Miln at Dairsie, that is from east to west about eight miles in length, and in breadth two, three, four, five miles in some places."

The next Bishop, Ernald, by a charter, in November, 1160, granted "Omnem oblationem altaris sui quam in septem partes divisam personae septem non communiter viventes tenuerunt quondam praedictis canonicis regularem vitam professis et in communem degentibus totam integram illibatamque rationabili provisione et necessaria concedendam esse decrevimus. Quem qui altari deserviunt et de altaris

vivere debent neque secundum regulares clericales ibi oblationum portiones fieri debent ubi communitas viventum unum facit quodamodo omne quod possidet."

The lands in King David's confirmation are the same as those in the Bishop's charter, with the addition of 'Balgoua'; the spelling is rather different, ex grat. Barrimund and Balrimund, Castdouenald and Gastduvenald, Chinemone and Kinnamone, etc.

Wyth consent off Dawy yhyng
Hys ayre, nest for to be Kyng,
Hys brodyr, and Erle off Huntyngtown,
At Sanctandrewys religyowne
Fra thine to be gave his gud will.
And this purpos to fulfill,
The Barys Rayk in regale
To the Kyrk the Kyng gave hale.

Wyntoun, VII., v., line 674 *et seq.*

p. 125. **Hospital of St. Andrews.** This hospital was founded "in susceptione hospitum et peregrinorum," and the Bishop, in addition to giving to it one-seventh of the altar offerings, endowed it with a half of the tithe of his ploughs and cows and sheepfolds and piggeries and horses in the parish of the Holy Trinity, and the tithe of the Bishop's can from the same parish, and his tithe from Bladebolg and other places, which is brought to St. Andrews. The 'vetus Hospitium' was afterwards occupied by the Prior as his principal residence. About 1512 the Prior of St. Andrews founded St. Leonard's College and endowed it with the revenues of the hospital.

Omnes libros nostros. It seems strange that the Bishop should give all his books; doubtless he intended to found a Cathedral Library.

p. 126. **Ego Thoraldus . . . confirmo.** These words probably were written with a cross by the Archdeacon himself. King David does little more than confirm the Bishop's gifts. The land Balgoua in the King's charter is omitted in that of the Bishop. The King gives the church of Linlithgow. There is a charter (ante, p. 90) of that church to the canons of St. Andrews, which I wrongly dated circa 1138; as I have explained in the note to that charter, I think it is a forgery: I printed the genuine charter which was granted after 1144, and before the King confirmed the Bishop's grants. A mark of silver from the King's rent from Perth was given to light the church before the foundation of the Priory. The charter giving a fishing in Berwick is printed ante, p. 132, and the charter of the fishing in the Tay, ante, p. 133.

p. 127. **Curiam suam.** This is the usual grant of jurisdiction to the Prior's Court.

Foregrund. The charter granting this church ante, p. 182.

Namum capiat. The grant is printed ante, p. 56.

Materiem in bosco meo de Clackmanan, ante, p. 151.

The King's charter was granted at the same time as No. CCL., ante, p. 201.

The confirmation by Earl Henry, No. CLXIV., is remarkable only because in it the Earl styles himself "Deo propitio haeres et rex designatus."

p. 128. **XL solidos de meo chan de navibus de Perth**, charter ante, p. 201.

CLXV.

Registr. Prior. S. Andreae, fol. 20 a ; Bannatyne Club edition, p. 47 ; 2 Concil., 123.

This is a Bull by Pope Lucius II., dated 14 May, 1144, confirming the grants by Robert, Bishop of St. Andrews, to the Prior and canons and giving the papal benediction and protection to the priory.

p. 130. Of the cardinals who concur and attest, **Conradus de Suburra**, Cardinal Bishop, was made a Cardinal by his uncle, Pope Honorius II. in 1126. **Theoduuinus** Germanus (Theoduuninus is an error) was made a Cardinal by Pope Innocent II. in 1135, and died in 1153. **Albericus** Belluacensis, Gallus, was a Cluniac monk, appointed Bishop of Ostia in 1135, and Cardinal in 1138. Pope Innocent II. sent him as a legate to England. "His legate, Alberic, Bishop of Ostia, requested permission to pass through England, that he might announce to the Scottish people the undisputed right of Innocent to the Papal throne. The royal consent could not be refused. . . . But it soon became apparent that the Bishop of Ostia had clandestinely obtained admission into England to further the designs of the Bishop of Winchester. The legate, contrary both to canon and precedent, took it upon himself to hold visitations in the monasteries and collegiate churches of England. . . . Having felt his way, and having found that he did not meet with the resistance he expected, the legate undertook to convene a synod . . . which met at Westminster on the 13 December, 1138." Theobald was elected Archbishop of Canterbury. "The legate and Henry of Blois, though defeated in their object, were too wise to show any resentment. They entertained no unfriendly feelings towards Theobald. They officiated at his consecration on 8 January, 1139, and in company with the Bishop of Ostia, the new Archbishop proceeded to Rome to receive his pall."

Frater **Ymarus**, Gallus, monachus Cluniacensis, Episcopus Cardinalis Tusculanus, was made a Cardinal by Innocent II. in 1142 : "Legatione functus est in Anglia Lucii II. Romani Pontificis jussu ;" he died in 1164. **Petrus de Papareschis**, brother of Pope Innocent II., Episcopus Cardinalis Albanus, made a Cardinal by Innocent II. in 1142. Magister **Gilbertus**, Presbyter Cardinalis titulo Sancti Marci Evangelistae. **Raynerius**, Presby. Card. titulo S. Stephani in Coelio Monte, created Cardinal by Pope Celestine II. in 1144.

p. 131. **Guido** Pisanus ex Comitibus Capronae, Presbyter Cardinalis titulo Sanctorum Cosmae et Damiani, made Cardinal by Calixtus II. **Baro** Scriptor Apostolicus et Sanctae Romanae Ecclesiae Subdiaconus Procancellario fuit.

CLXVI.

In the Chartulary of Reading. "Carta ejusdem de piscibus vendendis."

This confers on the monks of May and their men liberty to sell their fish in their own harbour, as if in a burgh. The King orders that the monks be charged no more on goods bought by them in the harbour than is charged on goods bought in the King's burghs.

CLXVII.

Chartulary of the Abbey of Reading. "Carta ejusdem de quietancea navis monachorum ab omni consuetudine."

The ship of the monks of May to be free of can and toll and custom whenever it arrives in the King's land. No one shall injure them or their goods.

CLXVIII.

Registrum Prior. S. Andreae, fol. 78 b; Bannatyne Club edition, p. 182.

King David grants to the Church of St. Andrew in Scotland, and the canons serving God there, a fishing in Berwick, and a toft next to the church, in alms and free from all secular service. He orders that the canons and their men be quit and free of toll, both within and without his burghs, and with leave to buy grain and flour in any way they like, for their own use. No one may disturb them—they are under the King's peace and protection.

CLXIX.

. From the Black Book of St. Andrews, in the City Archives. Printed in the first volume of the Act. Parl. Scotiae, Preface, p. 53 (47).

The Black Book was compiled by John Mutto, clerk of St. Andrews: it was described in 1611 as "A memoir and record of the infeftments, evidents, and writs made to the said Provost, baillies, council, and inhabitants of the said City of St. Andrews and their predecessors, by the Bishops and Archbishops thereof, and by the Kings of Scotland of old, of their common land, . . . the principallis quhairoff, be ressoun of the pest, civile and foreyne weir, oft times are not extant but destroyit."

If this be a genuine charter, it shows that King David had given to the Bishop of St. Andrews the 'villa' of St. Andrews 'in elemosina.' This villa did not include the Cursus Apri which already belonged to the church, nor the land occupied by the Keledei. Probably the castle was a 'burh,' which, until the reign of David I., was the King's castle. David gave it 'in elemosina' to the Bishop, with the adjacent villa; and from that time the castle ceased to be the King's; it became the Bishop's castle. The King allowed the Bishop to make this villa a burgh, and he gave him Maynard the Flambard, the King's own burgess in Berwick. Maynard was rewarded for his pains, by the office of prefect, and a grant of three tofts.

This charter in favour of Maynard is not a charter creating the burgh: the fact that the Bishop had founded it is incidentally stated. Maynard Flandrensis had been a "proprius burgensis regis," not entirely a free man, for the King gave him to the Bishop 'in elemosina.' Probably he was specially bound to cultivate the King's land in or near Berwick, or to do some onerous service which he could not abandon without the King's permission. He may have been one of those on whom was laid the duty of maintaining the walls of Berwick.

The Laws of the Burgh show that burgesses could not leave the burgh when they pleased: only burgesses who had purchased land could sell it and go wherever they liked (see 21 and 42 L.B.). Maitland, Doomsday Book and Beyond, p. 199, gives instances of exceptional cases where burgesses were free to commend themselves to whomever they would.

Nummus argenti, in classical times, meant a sesterce, the fourth part of a penny. Mainard was to pay 16 nummi, and it is explained that that was 4d. for each virgate. The Bishop gave three tofts which were afterwards granted to the Priory and to the Hospital (pp. 54, 131, 143, 145, 150, 206, 214, 233). Avicia, Bishop Ernald's sister, had a toft which passed to the church of St. Andrew (p. 134); we hear of the toft of Peter Flandrensis in North Street, which he held of the Hospital of Jerusalem, p. 139, and of a perticate of land "in burgo Sancti Andreae in vico australi." Later we read of a toft which Robertus de Bonaire held, and another which belonged to Cuthbert the Dean, and a perticate of land which Will. Brunus held, and a toft which Master Herbert held, p. 152. Adam the son of Odo held a land in the town "de priore et conventu," which he sold to John the Prior and the Convent for 40 marks of silver, "inter viam qui ducit a vico australi ad aquam fluentem ad abbaciam ex una parte et Hospitale St. Leonardi ex altera," p. 281. There was a sale of a land in the villa (p. 285) Teste tota curia Burgensium Sc. And.; the

brethren of the Temple of the Lord in Jerusalem held three tofts (p. 124), and there is a record of the tofts of Elgar, of Arnald and of William Cocus.

Maitland (Doomsday Book and Beyond) says, p. 200, "Traces are few in Doomsday Book of any property which can be regarded as the property of a nascent municipal corporation, or even of any which can be called the joint or common property of the burgesses. In general each burgess holds his house in the town of the King, or of some other lord by a several title, and if he has land in the neighbouring fields, this also he holds by a several title," and this, I think, was the case in St. Andrews.

p. 133. **His testibus.** The name of the Prior is omitted, but he must have been Robert, who held the priory from about 1140 till 1162. **Willelmus Torreld** was probably William, the son of Thorald, who was a witness to a charter by Waldeve the son of Gospatric (Reg. Dunfermelyn, p. 94). He had a son Alexander (Reg. Dunf., pp. 34, 94), who gave two bovates of his land of Ockiltre to the church of St. Michael in Linlithgow (Reg. Prior. S. And., p. 321).

CLXX.

Registrum Prioratus S. Andreae, fol. 78 b; Bannatyne Club edition, p. 183.

King David, addressing the bishops, abbots, earls, etc., announces that he has granted to the brethren of St. Andrews the right to have a net in the Tay where the King's own net fishing is. This was granted at Scone in presence of eight of the King's friends, magnates of the kingdom.

CLXXI.

From a transcript in the Register House, Edinburgh, from the original at St. Andrews.

King David grants to the Hospital of St. Andrews the land of Kenlachyn, free from secular service. This was granted on the same day as CLXX., at Scone, in presence of the same witnesses. Robert, Bishop of St. Andrews, gave to the Priory (p. 123) "Hospitale Sancti Andreae in susceptione hospitum pauperum peregrinorum cum terris possessionibus et redditibus eidem Hospitali pertinentibus" (confirmed by Pope Alexander III.: R.P.S.A., p. 54; Pope Lucius III., p. 58; Gregory VIII., p. 63; Clement III., p. 67; Innocent III., p. 72; Honorius III., p. 77; Innocent IV., pp. 92, 99).

See Note to CLXIV.

CLXXII.

Liber de Calchou, fol. 10; Bannatyne Club edition, p. 9, No. 8.

King David, with the assent of the Bishop of Glasgow, grants to the Abbey of Kelso the church and the land of Lesmahagow, free from all exaction by, or subjection to, the Bishop, to be a Priory under the Abbey. The King grants his firm peace to all who, to avoid peril to life or limb, take refuge within the four crosses of the cell of Lesmahagow. Dated at Edinburgh in the year 1144.

p. 135. **Lesmahagow** is a large parish of 41,500 acres, in the Upper Ward of Lanarkshire. The church was dedicated to the Virgin and to St. Machutus, who was buried there, and from whom the place derived its name. A Priory was built, the Prior had in after years a seat in Parliament; at the Reformation the rental was £1214 4s. 6d. Scots in money, and 16 chalders of barley, 12 chalders meal, 4 chalders oats, and Easter dues amounting to £112 1s. 2d.

p. 136. **Quiquidem autem propter vitae vel membri periculum, etc.** To a certain extent all churches were sanctuaries, from which a man in danger of life or limb could not lawfully be taken and punished without trial. But there were in Scotland 'girths' which had greater privileges as sanctuaries; of these the ground within the four crosses at Lesmahagow was one. A man guilty of a crime punishable by death or loss of limb, reaching this girth, was under the King's peace. He had to find security that he would appear in the court having jurisdiction and stand his trial. In 1335 John of Eltham, a brother of Edward III., burned the Priory, in which many had taken refuge. The tradition was that King Edward III. took his brother to task for this, and when John of Eltham answered angrily, the King struck him with his sword, so that he died. John of Eltham died on 5 Oct., 1336, at Perth. Edward III. left Perth in the end of September of that year. The story was believed in Scotland, and was told by Fordun and Wyntoun.

Testibus. The names of the witnesses are omitted in the Liber de Calchou; they have been supplied from a copy of the charter preserved in the Haddington Collection in the Advocates' Library. **Malcolmo filio comitis et Willelmo fratre ejus** were sons of Duncan, Earl of Fife. **Jordan Hayrun** is a witness to charter, ante, p. 186. **David Olifard**, of a Northamptonshire family, was a godson of King David, and rescued him at the defeat at Winchester in 1141. He was rewarded by a grant of land in Scotland, and was a witness to several of King David's charters.

CLXXIII.

Liber de Calchou, Bannatyne Club edition, p. 149, No. 180.

A declaration by John, Bishop of Glasgow, that from kindness, at the request of the King, and by the advice of God-fearing men, clerics and laymen, and with the assent of his chapter, he confirmed

to the abbot and monks of Kelso, the church of Lesmahagow and the whole parish, in order that they may place monks there who shall be free for ever from episcopal exaction and subjection. Granted in presence of King David and many others in the year 1144.

CLXXIV.

Mandate to Edward, the monk, to send wood to make the King's stack of wood at Berwick.

p. 137. **Calang'**. I have not found a place of this name.

CLXXV.

Liber de Calchou, Bannatyne Club edition, p. 301, No. 382.

Confirmation by Earl Henry of the grant of the church of Sprouston to the Abbey of Kelso by John, Bishop of Glasgow.

p. 137. **Sprouston** is a parish in Roxburghshire, on the banks of the Tweed. Between the river and Hadden rig, there is a considerable extent of rich arable land. Sprouston was part of the property held by Earl David, who, in 1113, granted to the Abbey of Selkirk a ploughgate of land and ten acres, and a maisura of a ploughgate thereto appertaining. After the monks of Selkirk were removed to Kelso, John, Bishop of Glasgow, granted to them the church. King David confirmed to Kelso the ploughgate and the ten acres and the maisura formerly given to Selkirk, "Dom. Episcopo Glasg. similiter dante et episcopali auctoritate confirmante." The rights of the monks in Sprouston were increased by subsequent grants by King David, and by King Malcolm IV., and by the family of De Vesci, and in 1300 the monks held two ploughgates and an oxgang of land, and extensive pasture lands for oxen, cattle, and sheep, besides six cottages, each with land attached.

CLXXVI.

Liber de Calchou, Bannatyne Club edition, p. 297, No. 372.

The King grants to the Church of St. Mary and St. John at Kelso, Rauendena, as fully as the King had it in demesne (except one ploughgate of land which had been given to the Hospital of Roxburgh), and the land of Osulf Wittburg, reserving Osulf's liferent.

p. 138. **Rauendena**, now Redden, in the parish of Sprouston, a fertile tract of land along the Tweed, next to Carham. The monks had a grange there of five ploughgates and pasturage for 14 score of sheep, besides land for the husbandmen, etc.

Hospital of Roxburgh. "The Hospital or Maison Dieu of Roxburgh

stood on the right bank of the Teviot, within the modern parish of Kelso, but probably within the ancient parish of Roxburgh. About the year 1140 King David I. granted to the Hospital . . . a ploughgate of land in his demesne of Rauendeno. About 1152 the Hospital had lands in its immediate neighbourhood, within or immediately adjoining the territory of Heton. . . ." Origines Paroch., vol. I., p. 46.

CLXXVII.

The original is in the Treasury at Durham, with a seal; Raine, N. Durham, App., p. 26, No. CIX.

Earl Henry confirms the rights of the monks of St. Cuthbert in Swinton, as it was granted by the charters of King Edgar and King David. I ascribed this to circa 1145, but that may be too late. It was granted at Huntingdon in presence of Eustace Fitz John, two of the Umfravilles, William de Sumerville, and the Chamberlain. King Edgar's charter is XX., ante, p. 17. King David's charters XXIX., ante, p. 23, and LXV., p. 54.

CLXXVIII.

The original is in the Treasury at Durham; the seal is missing; Raine, N. Durham, App., p. 5, No. XXI.

King David announces that he has granted to the church of St. Mary and St. Cuthbert at Coldingham and to the monks serving God there the gift which Gospatric the brother of Dolfin made to the monks, viz. Ederham and Nesbit, with all the rights he had in these on the day he died, free from all service and custom except payment of thirty shillings by the monks to the son of Gospatric and his heirs 'pro conredio regis' annually at Martinmas, and except service in the King's army, when the monks shall attend on the King. Gospatric shall be quit for ever of service in the army for these lands.

Dr. Raine says of the date, "1167, lege MCXLVII Dormitat scriptor." It was granted in presence of a large number of witnesses at Coldingham on the Festival of the Finding of the Holy Cross in the year 1147—namely in the year in which the King of France and many Christians advanced to Jerusalem. 1147 was the date of the second Crusade. The 3rd of May is the Festival of the Finding of the Cross. The grant by Gospatric is CXVII., of which the original is in the Treasury at Durham. It was confirmed by King David, CXXI. (p. 93). There had been difficulty as to possession by the monks. This meeting on the 3 May, 1147, may have been on the occasion of the establishment of a Priory at Coldingham, hitherto only a church

in the possession of Durham, served by Edward the monk. John, Bishop of Glasgow, died a few days after this charter was granted, and was succeeded by Herbert, Abbot of Kelso. Edward the Chancellor, a short time after this, was appointed Bishop of Aberdeen.

p. 139. **Die quo fuit vivus et mortuus** seems to imply that Gospatric the granter was owner till the day of his death, whereas the terms of the original grant were a grant in alms with immediate possession. These words are perhaps words of style ; they also occur in the King's confirmation (p. 93).

Pro conredio regis. The owners of most, if not of all, lands held by feudal tenure were bound to supply food and necessaries for the King or overlord when he passed through the land or its neighbourhood. By granting land in alms to the church, Gospatric did not relieve himself of this feudal burden nor of the burden of furnishing men for the royal army. By this agreement the church paid Gospatric's heir, thirty shillings annually as the share of the 'corody,' and the church assumed the burden of supplying the quota of men of the army due from Edrom and Nesbit.

CLXXIX.

Chartulary of Cambuskenneth, Grampian Club edition, p. 71, No. 51.

David, King of Scots, with the assent of Henry, his son, and with the approval of the bishops of the kingdom and of the earls and barons, grants to the church of St. Mary in Stirling and to the Canons Regular the land of Cambuskenneth and the fishing between it and Polmaise and a net in the river : the land of Colling, with the wood : the land of Dunbodeuin between the river and the land of Lochin, forty shillings from the rent of Stirling and the can of a ship and a saltpan with the land appropriate to one of the King's saltpans and the tithe of the rent of the King's demesne in Stirling and the offerings made in the church of St. Mary and the island which lies between Polmaise and Dunbodeuin and twenty 'cudermi' of cheese of the King's rent of Stirling, with the same freedom and custom which other churches possess in the kingdom, these to be held and possessed as freely as the King holds his own land, saving the defence of the kingdom and the King's justice, if the prelate should by some impulse have done wrong.

This charter was granted between 29 May, 1147, when John, Bishop of Glasgow died, and 24 August, 1147, when Herbert was consecrated Bishop by the Pope at Auxerre in France. The Abbey of Cambuskenneth established by this charter and by the Bull of Pope Eugenius, No. CLXXX., was a house of Canons Regular of St. Augustine. There was a church in Stirling which had been endowed

by King Alexander I. Early in the reign of David I., perhaps in the reign of King Alexander, William, the Prior, brought from Aroise (near Arras in France) some Canons Regular, who at first served the church of St. Mary at Stirling. King David encouraged them and gave them lands on the Forth, Cambuskenneth and Logie and Tullibody, besides the land of Cowie in the parish of St. Ninians. Prior William, in July, 1147, accompanied Herbert (Abbot of Kelso), Bishop-elect of Glasgow, to Auxerre, where Pope Eugenius III. was, and after Herbert was consecrated Bishop, the Pope gave to William a Bull recognising him as Abbot, granting him and the brethren protection, and confirming the order of canons at Stirling. Fifty years later the monastery was removed to Cambuskenneth ; thenceforward the abbot was styled Abbot of the monastery of St. Mary of Cambuskenneth. The canons, as years rolled on, got gifts and endowments ; but they never became rich.

p. 140. **Cambuskynneth.** The lands of Cambuskenneth, Polmaise, Collyn (probably Cowie in St. Ninians), Dunbodeuin (Tullibody), Lochin (Logie), are all in the neighbourhood of Stirling.

Quadraginta solidi de redditu meo de Striueling. King David granted to the Abbey of Dunfermline a tithe of the pennies of his 'census' from Stirling (ante, p. 71), and to the Abbey of Holyrood he gave twenty shillings from the rent of Stirling (ante, p. 117), and now he grants to the Abbey of St. Mary forty shillings from the same rent and the can of one ship, besides the tithe of the rent of his lordships in Stirlingshire, and in addition twenty 'cudermi' of cheese.

p. 141. **Praelatus** is an unusual word in Scottish charters. It means here the abbot in his judicial capacity. Du Cange gives the meanings "Magistrat, chef d'une ville, juge, échevin, maire, évêque, abbé de monastère, prévôt, curé."

Testes. The witnesses have already been noticed. This shows that Edward was chancellor as late as the summer of 1147.

CLXXX.

Chartulary of Cambuskenneth, Grampian Club edition, p. 38, No. 23.

A Papal Bull by the Pope confirms the institution and the endowments of the Abbot and Monastery of St. Mary of Stirling. Dated 30th August, 1147, six days after the consecration of Herbert as Bishop of Glasgow. All the gifts contained in the King's charter are confirmed except the fishing between Cambuskenneth and Polmaise, the island between Polmaise and Dunbodeuin, and the oblations in the church.

p. 143. Of the cardinals who attested this Bull, **Odo or Otho,** diaconus cardinalis Sancti Georgii in Velabris (not ad Velum Aureum), was made a cardinal by Pope Innocent II. in 1130 and was a man of note. **Abbericus** (properly Albericus), Belluacensis Gallus, cardinalis Ostiensis. **Paparo** (properly Joannes de Papiro) diaconus cardinalis Sancti Hadriani. He was made a cardinal in 1144; afterwards he was a Legate to Ireland. **Hubaldus** presbyter cardinalis Sanctorum Joannis et Pauli titulo Pammachii; cardinal in 1140, died 1150. **Ignarus** (properly Ymarus) Gallus monachus Cluniacensis episcopus cardinalis Tusculanus. There were at this time three cardinals of the name of **Gregory**: Gregorius Tarquinius Romanus diaconus cardinalis Sanctorum Sergii et Bacchi prior diaconorum; Gregorius S. R. E. diaconus cardinalis; Gregorius diaconus cardinalis Sancti Angeli. **Gilbertus** presbyter cardinalis titulo Sancti Marci Evangelistae (not S. Martini).

CLXXXI.

Registrum Prioratus de S. Andreae, fol. 20 b; Bannatyne Club edition, p. 48; 2 Concil., p. 225; Reeves' Culdees, p. 110.

A Bull by Pope Eugenius III. (A.D. 1145-1153) addressed to Robert, Prior of St. Andrews, taking the church of St. Andrews under the Papal protection, confirming their possessions and privileges, granting to the prior and brethren of the church the right to elect the Bishop of St. Andrews, and directing that as the Keledei die they shall be succeeded by canons regular. The heading "instead of to the Keledei" is wrong and should be deleted.

p. 144. **Secundum Dominum**: Dr. Reeves reads 'Deum.'

Ut decedentibus Keledeis. Dr. Reeves' Culdees, p. 110, says: "The same provision is repeated in the Bulls of Adrian IV., A.D. 1156; Lucius III., A.D. 1183; Gregory VIII., A.D. 1187; Clement III., A.D. 1187; Innocent III., A.D. 1206; Honorius III., A.D. 1216; Innocent IV., A.D. 1248. Thus for nearly a century the Keledei held their ground against Papal as they had previously done against Royal authority."

p. 145. **Albericus** Belluacensis Gallus episc. cardinalis Ostiensis. D. **Ymarus** Gallus monachus Cluniacensis episcopus cardinalis Tusculanus. **Hubaldus** (*not* Huhaldus) presbyter cardinalis Sanctorum Joannis et Pauli titulo Pammachii. **Gilibertus** presbyter cardinalis titulo Sancti Marci Evangelistae. **Hugo** presbyter cardinalis titulo S. Laurentii in Lucina. **Otho** diaconus cardinalis Sancti Georgii in Velabris (*not* ad Velum Aureum). **Joannes** de Papiro (*not* Paparo) diaconus cardinalis Sancti Hadriani. **Gregorius** diaconus cardinalis Sancti Angeli (*not* Auguli). D. **Joannes** canonicus Regularis Sancti Fridiani Lucensis diaconus cardinalis Sanctae Mariae Novae. **Petrus** (not **Guido**) diaconus cardinalis Sanctae Mariae in porticu. **Guido** Piscanus diaconus cardinalis S.S. Cosmae et Damiani S.R.E. Cancellarius.

CLXXXII.

Registrum de Dunfermelyn, fol. 6 a ; Bannatyne Club edition, p. 8, No. 4.

An agreement made in the Castle of Maidens in presence of King David and his son Henry and their barons, between Robert, Bishop of St. Andrews, and Gaufrid, Abbot of Dunfermline, regarding the parish church of Eccles and the chapel of the Castle of Stirling. The King's barons unanimously held it proved that on the day on which King Alexander caused the chapel to be dedicated, he gifted and granted to it the tithes of his demesne lands within the jurisdiction (soca) of Stirling, whether these demesne lands increased or decreased, that the parish church of Eccles ought to have all the tithes which come from 'hurdmanni' and 'bondi' and 'gresmanni,' with the other rights which the church ought to have ; that the bodies of those who die, whether they be serfs (mancipii) of the demesne or of the parish, shall lie in the parish churchyard, with the things which dead bodies ought to have with them in the church, unless by chance a burgess die there suddenly; that if the demesne lands increase, by cultivation or by breaking them up the first time, the chapel shall have the tithe, if the lands of other men of the parish increase, the parish church shall have the tithe, and if the number of men in the demesne increase, the chapel shall have their tithes, and also those of all the men who cultivate the demesne; that the parish church shall have the bodies of those who dwell in the demesne ; and if on the lands which were not demesne, houses shall increase, the parish church shall have their tithe, and shall render to these men the rites of Christianity in seemly burial.

Castellum Puellarum is a name first applied to the Castle of Edinburgh in the reign of David I. Its earlier name was Dunedin. Buchanan says that the name, "Castle of Maidens," was derived from French romances. It is more likely to be a monkish version of the Celtic May-din, a fort.

p. 146. **Eccles** is the parish now called St. Ninians. In 1264, Pope Alexander confirmed the gift of the King of Scotland of the church of Egglyge (Camb. 40); Pope Celestine confirmed to Cambuskenneth the church of Egglis, the gift of Robert, Bp. of St. Andrews (p. 44); Robert, Prior of St. Andrews, stated that Robert, Bp. of St. Andrews, had granted the church of Egles to William, first Abbot of Stirling (p. 142).

Chapel of the Castle of Stirling. The monks of Dunfermline acquired it (Reg. de Dunf., No. 72, p. 38). King William gave them a land in exchange for land which the King had enclosed in his park. Confirmation by Bishop Rich. of St. Andrews to Dunfermline

of the chapel of the Castle of Stirling (Dunf., p. 57, No. 94). Other confirmations are on pp. 63, 66, 81, 154, 157, 418 of the Register of Dunfermline. Before 1359 the chapel became a Chapel Royal for the King's household and musicians.

CLXXXIII.

The original is in the Treasury at Durham, with a seal attached; Raine, N. Durham, App., p. 24, No. cv.

Earl Henry, son of the King of Scotland, addressing all the faithful, announces that he has confirmed the gift of Edrom and Nisbet by Earl Gospatric, the brother of Dolfin, to the church of St. Mary and St. Cuthbert at Coldingham.

CLXXXIV.

Cartae Prioratus Insulae de May, Dr. Stuart's edition, p. 2, No. 2.

King David grants to the Prior and to the monks of May a full toft in Berwick, in perpetual alms, with all the rights and exemptions of any 'elemosina' in the kingdom. Those who live in the toft shall be free from services and from all exactions.

CLXXXV.

Liber de Calchou, Bannatyne Club edition, p. 340, No. 445.

Confirmation by Robert, Bishop of St. Andrews, of the increase to the endowment of St. Laurence at Berwick made by the Abbey of Kelso granting the tithe of a ploughgate of land at Berwick, and the fishings and a toft in the burgh. The title, ante, p. 148, is quite wrong. Date between 1147 and 1150.

p. 148. **Ecclesiae Sancti Laurentii.** It appears from the charter by Malcolm IV. (Lib. de Cal., 6) that the Abbey of Kelso got this church from Robert the son of William, whose charter has not been preserved. Can he be Robert son of Widon? (pp. 87, 140). The church of St. Laurence had two bovates of land which the monks gave to William the Lion, and in exchange he gave two bovates next Prestebridge (p. 12).

CLXXXVI.

This was copied for me by Mr. Paton from the XXXI. volume of the Acta Dominorum Concilii in the Register House, Edinburgh. The original charter was put in evidence in the year 1518 by James Bisset, a litigant before the Lords of the Council.

King David grants to Alexander de St. Martin, Alstanefurd and the land which Arkil held, by the boundaries between Haddington and Alstanefurd, to be held of the King by the service of half a knight; and the King engages to pay every year from his treasury (camera) ten marks of silver until he make up a full knight's fee.

p. 149. **Alexander de St. Martin** was a vassal of the Countess Ada in her dower lands of Haddington. He is mentioned on pp. 207-209 of the Registr. of the Priory of St. Andrews, and he was a witness to several charters in the reign of William the Lion (St. Andr., pp. 216, 217, 248, 249, 250, 313). His brother Adulf accidentally killed Malcolm de Moreville when hunting, and the land of Langlaw was given to the Abbey of Dryburgh in reconciliation (Reg. de Dryburgh, pp. 68 *et seq.*). Alexander de St. Martin got a charter from the Countess Ada (No. 2 of the Laing Charters). "Ada the Countess, mother of the King of Scots, grants to Alexander de St. Martin the lands of Elstaneford, by those same marches by which King David gave the same Elstaneford to him. She, moreover, gave Barowe, Donecaneslaye, Bangelaye, and that land which Uhtred son of Gilise held, and that land which is on the east side of Seton, by those marches by which her men walked the lands and delivered them to him: also the site of his mill on the Tyne, and one carucate of land in Carelsira, to wit, in Petollin, and one full toft in Hadinton, and another toft in Carel, all to be held in fee and heritage for the service of one knight, with sake and soke, tol and theam, infandthef and other liberties. Witnesses: David, son of the Countess, Hugh Giffard, [ ] of Cenef, Roger of Valouin, Walter Giffard, Hugh of Baillol, and William Giffard."

Alexander de St. Martin left a daughter, Ada, who granted half a mark annually to the Abbey of Holyrood from the rent of her mill at Athelstaneford. Magister Alexander de St. Martin was a prominent member of the chapter of St. Andrews in the beginning of the thirteenth century.

Alstaneford is a parish in Haddingtonshire which Countess Ada got as part of her dower. It was afterwards granted to John de Montford, who gave half a stone of wax from it annually to the Abbey of Newbattle. In the time of King Robert the Bruce the lands were forfeited, and were granted to Richard Hereiz (Robertson, Index, 11); Athelstanefurd was granted by King Robert III. to John Dolas (Rob., Index, 141).

CLXXXVII.

Copied from the MS. Chartulary of St. Bees; Harl. MSS., 434, fol. 26.

David, King of the Scots, to all his liegemen of Copeland, announces that he confirms Euersate, the 'elemosina' which Matilda, the wife of Godard, gave to the church of St. Bega, and to the brethren serving God there, free of all secular service, as the charters of William, the king's nephew, and of Adam son of Swain attest. There was an old

religious house at St. Bees, on the Cumberland coast, which, in the reign of Henry I., was restored by William Meschin for a prior and six Benedictine monks and attached, as a cell, to the Abbey of St. Mary at York.

p. 150. **Matilda** was the wife of Godard de Boyvill the Dapifer, the second Lord of Millum; she gave Anderset, alias Agnes Seat, to St. Mary's of York. I do not find any land with a name like Eversate among the possessions of the Priory of St. Bees; this confirmation probably refers to Anderset.

sicut cartae Willelmi nepotis mei et Ade fil. Sweni testantur: these charters have not been preserved.

William Fitz Duncan: by right of his wife was overlord of many lands in Cumberland.

Adam the son of Swain: see note to CXL.

Testibus. Gospatric son of Orm held several manors within the barony of Egremont, and was Lord of Seaton in Derwentward; he got Lamplugh and Workington from William de Lancaster in exchange for Middleton in Lonsdale. He gave Salter Hall in Lamplugh to St. Mary's Abbey at York; it subsequently belonged to St. Bees. Thomas the son of Gospatric gave Lamplugh to Robert, who assumed the name. **Henry the son of Swain** was a brother of Adam; he held Langwathby and Edenhall, ante, pp. 105, 108, 147, 197, 374.

CLXXXVIII.

Registrum Prior. S. Andreae, Bannatyne Club edition, p. 183.

King David orders the Sheriff of Clackmannan to see that the canons of St. Andrews get timber from the wood of Clackmannan for their building, and they be not disturbed.

CLXXXIX.

A copy in the Advocates Library, 34. 3. 11.

King David, prompted by Heaven, for the weal of his soul and for the souls of Henry his son and of his ancestors and successors, had founded a monastery at Jedworth, in which, with the advice of John, the Bishop, and of his other bishops, earls, and barons, and religious men, he had placed canons regular. He grants and confirms to the monastery a considerable number of lands and tithes and houses in Roxburgh and Berwick, a saltpan in Stirling, etc. The text is corrupt, the Latin is bad, the names of the lands and of the witnesses have been very carelessly copied. This was granted between 1147, when Herbert became Bishop of Glasgow, and 1150, when Alwyn resigned the Abbacy of Holyrood.

It is uncertain in what year the Priory of Jedburgh was founded. Wyntoun, VII. v., line 7 line 785 :

> "A thowsand and a hundyre yhere
> And awchtene to rekyne clere."
>
> "Gedword and Kelsowe, Abbayis twa,
> Or Dawy wes Kyng, he fowdyd tha."

Though Sir Archibald Dunbar accepts that as the date, the foundation was much later, as late as about 1138, after the return of Bishop John from Tiron. Morton (p. 4) suggests that the canons were first brought to Jedworth at the time assigned by Wyntoun, "and that the establishment, which was at first a priory, was made an abbey, and received other additions to its privileges and importance at the time assigned by Fordun." The earliest appearance in record of a Prior of Jedburgh is when Daniel the Prior witnessed charter CXXI., ante, p. 93, in A.D. 1139.

p. 151. The King granted the vills of the **two Jedworths** ; these are Old Jedworth and the site of the new priory. Old Jedworth lies four and a half miles higher up the valley of the Jed than the other, which is two miles above the confluence of the Jed with the river Tweed. Old Jedworth belonged to the monks of St. Cuthbert at Durham. At New Jedburgh there was a small burgh round the castle of the kings. Malcolm IV. died at Jedburgh in 1164, Alexander, a son of Alexander III., was born there in 1263, and that King there married his second wife, Joletta de Dreux, in 1285. The castle was in the hands of Edward I. in 1291. It was given to Douglas by King Robert the Bruce.

Langtoun is not Langton in Berwickshire, but a land near Jedburgh. Richard Anglus gave the abbey two bovates of land in Langton. In 1513 : "Sir Roger Fenwick with 300 men burnt the town of Langton, and destroyed all the cornes therein, which town is in the heart of the country, two miles beyond Jedburgh."

Nesbet is in Crailing, now a station on the railway to Jedburgh; it must not be confounded with the Nisbet granted to Coldingham by Earl Gospatric.

Craling. The text here is corrupt. Earl Henry's charter is more intelligible : "Creling Cospatricii vicecomitis, ipsius Gospatricii capellano ejusdem Creling praefato monasterio concedente, etc." This Gospatric the Sheriff was a witness to charters, ante, pp. 28, 55.

p. 152. **Craling villae Orme filii Gilasp.** In Earl Henry's charter he is called Orm son of Eylaf, and in King William's charter Oromus son of Eilavus, who was a witness, ante, pp. 108 and 160. In later times Berengarius Engain and David Olifard gave parts of Craling to Jedburgh Abbey.

Stramsburgh is called Scrauesburgh in the charters by Earl Henry and King William, and the latter adds that two bovates there were given by Richard Anglus.

p. 152. **Capellani et quod fundata est super aquam Jedde in saltu nemoris contra Schorwinglen.** The text is corrupt. Earl Henry's charter has "capellam etiam quae et in saltu nemoris," and King William's "capellam quoque quae fundata est in saltu nemoris contra Xernwingeslawe." Christiana, wife of Gervase Ridel, gave to the abbey a third of Hernwingeslawe. Morton suggests it is Mervinslaw, a little above Old Jedburgh. **Theiudall** is Teviotdale. **Ulmerstoun**: Ulvestoun in the charters by King Malcolm and King William, is Ulston, a hamlet about two miles from Jedburgh. **Almechine juxta Alvecromber** is a blunder of the scribe for Alneclive, juxta Alncromb—now Ancrum. **Raperlau** is in the parish of Lilliesleaf.

Besides these lands the King granted a house in the burgh of Roxburgh, and a house and a fishing in Berwick. In King William's charter the fishing is identified as the water opposite the island called Tonsmahop. **Cadwardisly** is another error of the transcriber; it is Edwardsley, near Jedburgh. The King himself perambulated it and showed its boundaries.

These were the King's donations to the Abbey, which were confirmed by Earl Henry, who did not add any of his own. In addition to these, we know from King William's charter that King David granted £10 lands in Hardingesthorn (Northamptonshire), which were afterwards exchanged for Rule Herevei, now called Abbotrule. King Malcolm IV. gave the church of Barton and Grendon in Northamptonshire, and in the burgh of Jedworth a toft and seven acres. The monks had the privilege that in their houses in Berwick "nullus ministrorum regis tunella vini a mercatoribus illic allata et ibi evacuata exigere presumat." Gospatric the Sheriff gave in Crailing a ploughgate and a half and three acres with two maisurae. Berengarius Engain gave a mark of silver in the mill of Crailing, and two bovates of land "cum uno villano," and a toft, and for the maintenance of the chaplain of Crailing two bovates of land with another toft, and a toft near the church. David Olifard gave the tithe of the mill of Crailing. Orm son of Eilaf gave a ploughgate of land in the other Crailing. Richard Anglus gave two bovates in Scrauesburgh, and two bovates in Langtun. Gamel, the cleric, with the consent of his sons Osulf and Ughtred, gave Cavers. Margaret, the wife of Thomas de Loudon, with the consent of her sons, Thomas and Henry Lovel, gave Ughtredesxaghe. Christiana, wife of Gervase Ridel, gave a third of Hernwingeslawe. Gaufrid de Percy and Henry de Percy gave the church and lands at Oxnam and Newbigging. Rod son of Duneg and his wife Bethoc gave a ploughgate of land in Rughecestre. Turg. de Rossedale gave the religious house of Liddel, and the church of Kirchanders. Guido de Rossedale, with the consent of Radulf his son, gave 42 acres between Esk and Liddel, where they join. Ranulf de Sules gave the church of the valley of Liddel, and the church of Dodintun, juxta Bertona (in Northamptonshire), and half a ploughgate in Nasebith. Gervase Ridel (who became a monk at Jeddeworth), and Radulf his brother, gave the church of Abboldesle. William de Veteri Ponte gave a ploughgate of land in his lordship of Carriden.

Testes et assentatores: the names are misspelt. **Andreas Episcopus Cataneus** (Catanensis). The Bishopric of Caithness was founded by King David between 1146 and 1150. The first Bishop was Andrew,

who was, it is said (2 Concil., 217), a monk in the Abbey of Dunfermline. He held the church of Dunkeld and its lands. Bishop Andrew witnessed many of the later charters of King David's reign; he was a leading man in the reign of King Malcolm and King William; he died 30 December, 1184. It is probable that he was only titular Bishop of Caithness; King David could not put him in possession of his diocese, because Caithness was still under the rule of the Norse Earls of Orkney. Mr. Cosmo Innes says that prior to the episcopate of Bishop Gilbert (A.D. 1233-1245) there was only one priest to celebrate mass in the cathedral church. More than a hundred years later (1259-1281), Earl Harold had power to order a penny to be paid to the bishop for each inhabited house in his earldom. It was a lawless land; John, the next bishop, was cruelly treated; his tongue and eyes were torn out in 1201. Adain, the third bishop, was burned to death in 1222. Gilbert, the fourth bishop, was more appreciated, at least after his death, for he was canonized as St. Gilbert.

CXC.

This is taken from Morton's Monastic Annals of Teviotdale, p. 53. He does not say where the original was.

Henry, Earl of Northumberland, confirms to the canons whom his father placed in the monastery of Jedworth, the gifts to the priory. I see no reason to refuse to accept this as a copy of a genuine charter. The lands are the same as in King David's charter; there are a few differences in spelling and in expression. Morton gives a charter by King William "ex autographo in Archivis Ducis de Buccleuch." This was granted between A.D. 1147, when Herbert became Bishop of Glasgow, and A.D. 1152, when Earl Henry died.

CXCI.

Registrum de Dryburgh, Bannatyne Club edition, p. 103, No. 145.

Earl Henry confirms the right of Beatrix de Belchaump to land in Roxburgh which she held of the King.

p. 154. Belchaump. She was the wife of Hugo de Morville and is called de Bello Campo in other charters.

CXCII.

Liber de Calchou, fol. 53; Bannatyne Club edition, p. 106, No. 138.

Grant by Roger de Ov to the Abbey of Kelso of the church of his villa of Langtune in free alms, as Henry the parson of that church held it at its best. Granted for the weal of the soul of Earl Henry, Lord of Henry de Ov.

From this and many similar charters it appears that the owner of a manor who paid tithe to the parson of the church, and who had or claimed right to the patronage, assumed that he had right to alienate to a religious house the patronage, the tithes, and the church lands. This grant was confirmed by William the Lion and by several Bishops of St. Andrews. Roger de Ov was of a Northumbrian family (Chalm., Caled. 2, p. 244). The barony was held for two hundred years by the de Veteri Ponte family, and afterwards from about 1333 till the middle of the eighteenth century by the Cockburns, when it was sold to Mr. Gavin; on whose death it passed to the Marquis of Breadalbane.

p. 154. **Langton** is a parish of about 7000 acres in the centre of Berwickshire. It is said that Earl Henry gave a part of Langton to William de Veteri Ponte (2 Chalm., Caled., p. 369). William the Lion granted a charter to William de Veteri Ponte of the lands of Boulton, Caredyn, and Langtoun in warennam (Rob., Index, p. 79), his wife was Emma de St. Hilario, the heiress of Blackness and Carriden, he was also the owner of Oggilface (in Linlithgowshire), which he granted to Holyrood. William de Veteri Ponte confirmed the grant of the church of Langton to Kelso and added a ploughgate of land described by boundaries. He died in England and there was a dispute regarding the removal of his body to Kelso for burial, which was settled by the monks discharging a debt of thirty shillings due by his son and heir, besides paying him forty shillings and engaging that the soul of his father should be specially mentioned in the masses said for the benefactors of the church.

p. 155. **G. Dean of Fogghou.** Fogo is a parish in Berwickshire, the prebend of the rural Dean of the Merse. John decanus de Fogghou occurs as a witness to a charter *temp.* William the Lion. **Hugo de Duns.** Duns is a parish in Berwickshire. **Henry parson of Langton** had a toft in which there was an old ditch ('fossa') in which he had his fold ('faldum') (Lib. de Kelso, Nos. 140, 141, 142), which perhaps was not his private property, but church land. The priest of Clackmannan had a toft in Langton (Chart. Cambusk., No. 57). Was **Robert son of Randulf** a grandson of Dunegal of Stranit?

CXCIII.

Liber de Calchou, fol. 17 ; Bannatyne Club edition, p. 26, No. 29.

Earl Henry grants and confirms to Ernald, the Abbot of Kelso, the toft of Dodinus in Berwick on the Tweed, to be held in fee of the Earl, as Dodin held it.

The Earl here professes to be the overlord of Berwick. From this and from other charters he seems to have had the same rights in the south of Scotland as his father had in the reign of Alexander I. In 1177 this toft in Berwick was in dispute between the Abbey of Kelso

and Lambertonus, who claimed it by hereditary right. The dispute was settled by the Bishops of St. Andrews and Glasgow. Dodyn gave to the Abbey of Kelso the church of "Lintun Ruderich" (Lib. de Cal., p. 335, No. 436). Probably he was Dodin of Dodingtoun (Lib. de Cal., p. 226). Richard de Dodenstun is mentioned (Lib. de Cal., pp. 197 and 348 and Charters of Holyrood, p. 215) and Hugo de Dodinvilla (Charters of Holyrood, pp. 28 and 76).

CXCIV.

Liber de Calchou, fol. 8 ; Bannatyne Club edition, p. 5, No. 2.

King David confirms the lands, rights, and privileges of the Abbey of Kelso.

This appears to me to be a spurious charter, written after 1147, the year in which John, Bishop of Glasgow, died (he is here spoken of as 'venerabilis memoriae'). It seems to be an attempt to forge a charter by King David; the compiler having before him the genuine charter of King Malcolm IV., omitted many lands and churches so that it might appear to be a deed by the earlier king ; his heart failed him when he came to the end and he gave no witnesses ; he added what he thought he ought to have included—a grant of the church of Selkirk. There are numerous omissions of names and places which ought to have appeared in a genuine confirmation by King David. This charter speaks of a dispute between the Abbots of Holyrood and Kelso having been settled "coram hiis testibus R. abbe de Neubotil et aliis." The charter of Malcolm gives the names of all the witnesses. This charter omits the grant to Kelso of Lesmahagow, which was made in 1144. One land called Botheldene in the charters by David I. (to Selkirk) and by Malcolm IV. and William the Lion (to Kelso) is in this charter changed to Bouldene, showing that this was written when the modern name of Bowden was coming into use. There are other changes: the seventh part of the mill of Roxburgh is commuted for twelve chalders "inter farinam et frumentum," Truenlene is given in exchange for Hardingesthorne at Northampton, which the monks of Kelso had given up to the King "ad suum magnum negotium."

CXCV.

Registrum Vetus Epis. Glasguensis, fol. 58 ; Maitland Club edition, p. 10, No. 5.

Earl Henry confirms the grant which his father King David had made to the church of St. John in the castle of Roxburgh of a plough-

gate of land in his demesne and a full toft and a 'mansura terrae' within the castle and all the church offerings of those who live in the castle, and a fourth of the offerings of the Earl and his wife, a tithe of his brushwood, and a tithe of the fat of the beasts killed for the Earl in Teviotdale. It is not stated to whom the remaining three-fourths of the Earl's offerings in church were to be given. The grant is almost in the same words as the King's gift, No. LXXXIII., ante, p. 69. The chapel in the castle of Roxburgh was afterwards granted to the Bishopric of Glasgow, in whose possession it remained. The charter was granted at Traquair, where the Earl had with him the Bishop of Glasgow, the Abbot of Kelso, Walter his father, the King's chancellor, and Engelram his own chancellor, the Constable Hugh de Moreville (he is styled Constable, ante, pp. 111, 152 and 159), Earl Gospatric, William de Sumerville, Walter the son of Alan, Robert son of Turet (unknown), Gervase Ridel (p. 47), William Masculus (p. 103), Walter de Ridale (pp. 153, 179).

CXCVI.

Liber de Calchou, fol. 72; Bannatyne Club edition, p. 144, No. 176.

Uctred son of Liulf grants 'in elemosina' to the Abbey of Kelso the church of Molle and the land adjoining it, as the granter and Aldred the Dean had perambulated it.

p. 160. **Molle** or Mow, a large district of nearly twenty square miles, with extensive pasturage, in Roxburghshire on the Cheviots. It is now part of Morebattle. Of old it was owned by several families, each of whom was called 'de Molle.'

Uctred son of Liulf was the father of Eschina de Molle, who married Walter son of Alan, the first Stewart. She gave a ploughgate in Molle to the Abbey of Paisley, where her daughter Margaret was buried, and land to the Abbey of Kelso, where another daughter was buried. The Stewarts continued to have an interest in Molle until about A.D. 1236 (Liber de Melros, 134, 261 and 262). In the twelfth and thirteenth centuries many distinguished families intermarried with the de Molles: Avenel, Maleverer, de Lincoln, de Vesci. The pedigree is interesting, but difficult; it would be out of place here to attempt to trace it. Mr. Morton (Monastic Annals of Teviotdale, p. 118) has a long note on Molle and its owners.

Aldred the Dean, who, with Uctred, perambulated the land of the church, was the rural Dean of Teviotdale in the diocese of Glasgow.

CXCVII.

Liber de Calchou, fol. 152 ; Bannatyne Club edition, p. 320, No. 416.

Herbert, the Bishop of Glasgow, confirms the grant by Uctred, son of Liulf, of the church of Molle to the Abbey of Kelso. The witnesses are clerics of the diocese of Glasgow, of whom Nicolaus is well known.

CXCVIII.

Registrum de Dryburgh, Bannatyne Club edition, p. 111, No. 158.

It appears that Peter, the son of Walter of Stirling, held of the King a ploughgate of land in Ednam, and that Tebald de Norham held half a ploughgate in the same vill. The King had granted to Nicolas the cleric twenty shillings from Peter de Stirling's ploughgate and half a mark from Tebald de Norham's half ploughgate, equal to two marks, in exchange for two marks which the King had granted to Nicolas from Bellestlene which belonged to Uctred the priest by the gift of Bishop John of Glasgow.

p. 161. **Nicholas the cleric**: see note to No. XCII.

Bellestlene. I have not discovered where this land was.

CXCIX.

Copied from the original in Public Record Office ; no seal. Ancient Deeds, L. 78 ; Box A. 115, Duchy of Lancaster Archives ; Bain's Calendar, I., p. 6 ; National MSS. of Scotland, facsimile.

David, King of Scots, to all the good men of his whole land, French, English, and Galwegians, grants to Robert de Brus in fee and heritage to him and his heir, in forest, the valley of the 'Anant,' on both sides of the water of Annan as the bounds are from the forest of Seleschirche as far as his land stretches toward Stradnitt and towards Clud. No one shall hunt in the said forest save de Brus himself, under penalty of ten pounds, and none shall pass through except by the straight way marked out. Date between 1147 and 1153. Mr. Cosmo Innes says: "The writer is not strong in his Latin. He writes 'foresto' instead of 'foresta,' 'vallum' instead of 'vallem,' and 'venatur' instead of 'venetur'; but, after all, our old charter Latin is not so bad as the French, which confounds all grammar."

p. 162. **Robert de Brus** was the son of Robert de Brus to whom Annandale was granted by King David.

Valley of the Anant: Annandale, which is separated from Selkirkshire by Mirkside, Chirnside, and Ettrick Pen rising to a height

of 2223 feet. It is separated from Nithsdale by a range of hills in Closeburn, Kirkmahoe, and Tunwald, and by the Locher Moss. The Clyde has its source in Moffat, in Annandale. Staplegorton, where this charter was granted, is a pastoral district in Eskdale, formerly a parish, but now united with Langholm. One can imagine the King and a party, the two de Morevilles, Walter the son of Alan, Odenel de Unframvilla, Walter de Lindesay, and Walter the Chancellor, hunting in the wilds of Annandale and Nithsdale; this charter, written on the spot, may be the result of an interruption in the day's sport by some one hunting or travelling over the hills, which the King in his anger resolved should not happen again, and which induced him to give de Brus exclusive and stringent rights of forest, and of prevention of trespass.

CC.

A fragment, without a seal, in the Record Office, among the Archives of the Duchy of Lancaster. Cartae Miscell., No. 55. It is cut across, and part is missing.

This is a feu or lease by a Bishop of Glasgow, probably Herbert, who was bishop from 1147-1164, to Robert de Brus, the younger, of the church lands in Annandale, to be held of the bishop on the same terms as Robert de Brus, the elder, held them. The King himself is a witness, and the charter was granted at Carlisle, where David I. resided in the last years of his reign.

CCI.

Cartae Prioratus Insulae de May, Dr. Stuart's edition, p. 4, No. 6.

King David, addressing the sheriffs, officers, and all his lieges, orders that the monks of May and their servants shall be exempt from can and toll throughout the kingdom, with liberty to sell their goods and to buy necessaries for the house.

p. 163. **Chegho** is the quaint misspelling of Kelso by the Englishman who copied the charter.

CCII.

Cartae Prioratus Insulae de May, Dr. Stuart's edition, p. 4, No. 7.

Mandate by King David to his sheriffs, etc., of Perth, that tithes are to be paid to the monks of Rindalgros. This seems to imply that there was a settlement of monks at Rindalgros, but I doubt whether the Abbey of Reading ever built a house there.

CCIII.

Registrum de Dunfermelyn, fol. 6 b; Bannatyne Club edition, p. 11, No. 11.

King David grants to the Abbey of Dunfermline a toft in the burgh of Haddington. The monks of Dunfermline had a long connection with Haddington. By a charter (CCIX., p. 167), King David gave them a 'mansura' there, which was confirmed by succeeding kings (Reg. Dunf., pp. 19, 28, 40, 46, 321), and by Popes Alexander, Lucius, and Gregory (*ib.* pp. 152, 157, 175). Countess Ada gave a "plenarium toftum" in the burgh of Haddington (No. CCLX., p. 208). King William gave an annual payment of three marks from the rent (firma) of the burgh to the church of Dunfermline (Reg. Dunf., pp. 31, 36). David de Lindesay granted to Dunfermline Abbey the superiority of a toft in Haddington which William Brown held of him (*ib.* p. 107). At the Reformation the bailies of Haddington paid 40s. per annum to the Abbey (*ib.* p. 430).

CCIV.

In the Chartulary of Cambuskenneth, Grampian Club edition, p. 250, No. 170; Facsimile, p. 251.

King David grants to the Abbey of Stirling the land of Ketliston in alms, as free from all secular service as the Abbey holds its other lands of the King. This was confirmed by King Alexander II. (Chart. Cambus., p. 250).

p. 164. **Ketliston**, alias Ketilstoun or Katelistune, is near the town of Linlithgow. It continued the property of the Abbey of Cambuskenneth till the Reformation. On pp. 251 and 252 of the Chartulary are records showing that the men of Ketlistun were subject not to the jurisdiction of the Sheriff, but to the Abbot's Court.

CCV.

Registrum de Dryburgh, Bannatyne Club edition, p. 38, No. 48.

King David grants to Nicolas his clerk, the wood in Pedynane, which Syrand the priest held of the King, with the privilege of hunting.

p. 165. **Pedynane** is Pettinain, a parish in Lanarkshire. The land held by Nicolas was granted by King David to the Abbey of Dryburgh; probably the original charter to Nicolas was then delivered to the abbey. **Syrand.** He appears only in connection with this land which he held of the King.

p. 165. **Nemus in firmam forestam**: 'in liberam forestam' is the more usual phrase. The wood is called 'Imbriston' in the heading to charter No. 44 in the Chartulary of Dryburgh.

CCVI.

The original was in the Panmure Charter Chest. Printed in the Charters of Holyrood, Bannatyne Club edition, p. 10, No. 9.

Robert, Bishop of St. Andrews, grants the church of Carriden with two ploughgates of land, to the Abbey of Holyrood.

This may be of later date than 1153. There is a difficulty about the witnesses: it is generally understood that Ailred did not become Abbot of Stirling until 1164, so it is impossible he could witness a charter by Robert, Bishop of St. Andrews, who died in 1159 or 1160.

p. 165. **Carriden** is a parish in Linlithgowshire of 2078 acres. The church continued to belong to Holyrood. The lands of Carriden were the property of the family of the Veteri Ponte (or Vipunts) for some generations. About 1200 W. de Veteri Ponte, eldest of the three sons of W. de V. Ponte and Emma de Sancto Hylario, granted to the Abbey of Holyrood a tithe of his coal of Kareddin and a tithe of the profits of all ships and boats loading and unloading at Blakenes.

p. 166. **Gaufrid, Abbot of Dunfermline**. There were two Abbots of Dunfermline named Gaufrid: the first from 1128 till 1154, the second from 1154 till 1178.

Samsone, monk of Durham: perhaps Samson who afterwards became the Bishop of Brechin.

Plenaria synodo, a provincial synod; see Dr. Jos. Robertson Preface, Concilia Scotiae, p. clxxxiii.

CCVII.

Cartae Prioratus Insulae de May, Dr. Stuart's edition, p. 2, No. 3.

King David grants to the monks of May half of Ballegallin and pasturage in Kelly and Crail. This was confirmed by King William the Lion.

p. 166. **Ballegallin**. Dr. Stuart does not say where this land is. The Abbey of Dunfermline had some rights in it; they confirmed to the Priory of May its right to the tithes. **Sira de Chellin** is probably Kelly in Fifeshire. **Sira de Cherel** is Crail, a burgh and parish in Fife.

CCVIII.

Registrum de Dunfermelyn, fol. 7 a; Bannatyne Club edition, p. 13, No. 21.

Mandate by the King to the Sheriff, etc., ordering that the monks of Dunfermline have materials for building from the King's woods.

CCIX.

Registrum de Dunfermelyn, fol. 9a; Bannatyne Club edition, p. 5, No. 2.

King David, exercising the royal authority and power, with the assent of Henry his son and of Matilda the Queen, his wife, and with the assent of the bishops, earls and barons of his kingdom, the clergy and the people acquiescing, confirms to the church of Dunfermline the gifts of his predecessors. He affirms the gifts of his father and mother, the gifts of his brothers Duncan, Edgar, Ethelred, Alexander the King, and of Sibilla the Queen. The King also confirms his own gifts. In addition, he, with the consent of Henry his son, grants Nithbren and Belacristin and 'mansurae' in Berwick, Roxburgh, Haddington, Edinburgh, Linlithgow, and a mansura in Stirling with two churches and a ploughgate of land, and the tithe of his lordships and the tithe of the can of the whole 'castrensis provincia' and the houses of Roger the priest and fishings, and a mansio in the burgh of Dunfermline, the tithe of the rent of the burgh and of the mill and of all his lordships of Dunfermline and a mansio in Perth and the church of the burgh, with its mansio, and the tithe of his demesne.

The King grants these lands to be held as freely as his own lands, reserving the burden of defending the realm and the right to hear appeals, if the abbot shall fail to do justice in his court. He grants a tithe of all the pleas and gains of Fife and Fotherif, reserving the rights of the Bishop of Dunkeld, a tithe of the produce of all game taken between Lammermoor and Tay and a half of the hides and fat and lard of all beasts killed for feasts in Stirling and between Forth and Tay, with timber for fire-wood and building in the King's wood. He also grants all the offerings at the great altar, and every seventh seal taken at Kinghorn, and a tithe of salt and iron brought to Dunfermline for the King's use; he confirms to the church of the Holy Trinity his father and mother's gift of the whole parish of Fotherif, and he grants in alms the fishing of Aldestelle at Berwick; he prohibits the taking of distress on the land, or on the men, of the church, except for their own debt; he confirms the right of the church to their 'servi,' and orders that all fugitives and 'cumerlache' be restored.

The King grants a tithe of his unbroken mares in Fife and Fotherif, an exemption from toll on all necessaries, five marks of silver a year (for clothing) from the first ships which come to Stirling or to Perth; the passage and boat of Inverkeithing, on condition that

travellers and messengers to the King and men of the court of the King and of his son be carried free. The King warrants the Abbey from claims on men who were on the lands at the date of the grants. He gifts the tithe of the can of Clackmannan, and of hides, fat, and fleeces, half of the tithe of Argyll and Kintyre, exemption from subjection and exaction, both secular and ecclesiastical, and a fishing at Perth.

Although from the mention of Queen Matilda, the King's wife, it might be supposed that she was alive, it is plain from the witnesses that this was granted after 1147, probably in 1150, on the occasion of the dedication of the church of Dunfermline. The beginning, and indeed the greater part of this charter, is a repetition of the great charter of confirmation granted probably in 1128 (ante, p. 167). The Abbey of Dunfermline had lost very little and had gained a great deal in these twenty-two years. It has already been said that the charters of King David's predecessors have not been preserved, for that at one time ascribed to Malcolm III. is spurious. Of King David's own gifts, a few separate charters recorded in the Register, ante, LXII., p. 53 ; LXVI., p. 55 ; LXIX. and LXX., p. 57 ; LXXIX., p. 66 ; CIII., p. 81 ; CV., p. 83 ; CVIII., p. 84 ; CXXVIII., p. 97 ; CLVII., p. 121 ; CCVIII., p. 167, are embodied in this charter of confirmation.

p. 168. **Fotheros juxta Sanctum Andream** : a land in Fifeshire.

Nithbren and Belacristin were granted by King David and Earl Henry by charter CCXXIV., p. 181, which ought to have preceded this charter of confirmation.

p. 169. **Exceptis rectitudinibus quae Abbatiae Dunkeldensi pertinent.** These rights were not reserved in the first great charter to Dunfermline which granted "omnem decimam praebendae quae afferetur ibidem de Fif et de Fotherif."

Parochiam totam Fothrif. In the spurious charter, ante, p. 8, appears a grant of 'tota schira de Fotriffe.' Fothrif was a large district in which other religious houses and laymen had lands and churches, and, at no time, had Dunfermline exclusive right to it.

p. 170. **Inverkethin.** Inverkeithing is a seaport in Fife, on the Firth of Forth, and from this it appears that the ferry across the Forth at that time landed at Inverkeithing. In later times, the ferry was between South and North Queensferry. The Ordnance Gazetteer states that the last assembly of the Culdees took place at Inverkeithing in the reign of David I., a statement for which there is no authority ; and it also states that "the original parish church, St. Peter's, was bequeathed in 1139 to Dunfermline Abbey by Waldeve son of Gospatric" ; the charter by Waldeve was granted nearly a hundred years after 1139 (Reg. Dunf., p. 94).

Singulis sabbatis in curia habent, etc. 'Sabbatum' in medieval writings had several meanings, every church festival, or the whole

week, or the seventh day, Saturday or Sunday. I am not aware of any grant similar to this in any Scottish charter; it is a grant of hides (presumably to make parchment for the use of the Abbots' Court), one to be given each week and two to be given every sixth week, with two portions of fat and the sixth of the skins of goats and sheep.

p. 171. **Decimi mei**: so written in the Registrum.

Ergaithel et de Kentir. The northern and southern parts of the modern shire of Argyll. "King David granted to Holyrood Abbey (ante, p. 118) half of the tithe of the pleas and profits of Kentyr and of Errogeil."

Piscaturam apud Pert. The writer had overlooked this gift of a fishing which he inserts in the concluding paragraph.

Robert, Bishop of St. Andrews, Gregory, Bishop of Dunkeld, and Andrew, Bishop of Caithness, confirm the grant; these were the Bishops principally interested. Dunfermline lay within the diocese of St. Andrews; the Abbey of Dunkeld had rights in Fife and Fothrif, hence the Bishop of Dunkeld confirms this; the consent of the Bishop of Caithness was desired because he had rights in Dunkeld.

Testes et assertores. The name of Walter the chancellor shows that this was granted after 1147. There are an unusual number of native Scottish witnesses: Alwyn Mac Arkil, Ewen Marescallus, Gillecolmus Mac Chimpethin, Macbeth Mac Torfin, Mereuin filius Colbain.

CCX.

From the Chartulary of Cambuskenneth, Grampian Club edition, p. 312, No. 215.

The King orders that canons of Stirling and their tenants shall be free from toll and custom throughout the whole kingdom. Similar exemption was granted to Coldingham, ante, p. 17; to the Abbey of Holyrood, p. 119; to the Priory of St. Andrews, p. 132; to the Priory of May, p. 163; to the Abbey of Dunfermline, p. 170.

CCXI.

From the Registrum of Dryburgh, Bannatyne Club edition, p. 9, No. 14.

Confirmation by Robert, Bishop of St. Andrews, of the grants by Hugh de Moreville and Beatrix de Bello Campo to the Abbey of Dryburgh.

In the year 1150 Hugo de Moreville and his wife Beatrix de Bello Campo founded an abbey of Premonstratensian canons at Dryburgh in Berwickshire, on the banks of the river Tweed. The canons were

brought from the Abbey of Alnwick in Northumberland, where a monastery of Premonstratensians had existed for thirty years.

The cemetery was consecrated on St. Martin's day, 1150; the canons entered into residence on 13 December, 1152. Dryburgh lay within the Lordship of Lauderdale, which had been granted to Hugh de Moreville. Hugh de Moreville gave the canons the churches of Channelkirk and of Salton; his wife and daughter and son were also benefactors. The King gave the churches of Lanark and Pettinain and Caddysleya, a land which afterwards became a fertile grange of the abbey.

CCXII.

The original is in the Treasury at Durham; a seal; Raine, N. Durham, Appendix, p. 82, No. CCCCXLVII.

Robert, Bishop of St. Andrews, announces to all the faithful sons of mother church in his diocese that before him and Hugh the Constable an agreement has been made between the mother church of Ednam and the chapel of Newton, that the former should have all the tithes and church rights in Newton and that the monks of Coldingham, to whom the mother church belongs, should cause mass to be sung in the chapel on three days of the week and that the men of Newton shall come to the mother church on Christmas and on Candlemas, on 'diebus Tenebrarum,' on Easter day, on Rogation days, and on St. Cuthbert's day. If the men of Newton should fail to pay tithe to Ednam, divine service in the chapel shall be discontinued until they are reconciled to the mother church. There is a duplicate at Durham, No. CCCCXLVIII. of Raine's N. Durham, which differs from this only in including Whitsunday among the festivals to be attended in the mother church, and in adding the monks, Roger and Waldef, as witnesses.

p. 173. **Newton** (Newton-Don in Berwickshire) is now part of the parish of Nenthorn. In 1316 the Bishop of St. Andrews exchanged the chapels of Newton and Nenthorn for the church of Cranston belonging to the Abbey of Kelso (Lib. de Calch., pp. 252-256).

CCXIII.

The original is in the Treasury at Durham; a seal; Raine, N. Durham, Appendix, p. 82, No. CCCCXLIX.

Robert, Bishop of St. Andrews, confirms the gift by Gospatric, brother of Dolfin, to the monks of St. Cuthbert, of Edrom and its church and Nesbit and also their right to the churches of Swinton and Fishwick. This was granted on 25 October, 1150, at a synod at

Berwick, and was witnessed by several churchmen: the Priors of St. Andrews, Scon, Jedburgh, Holyrood, by Adam, the King's chaplain at Roxburgh, and many others.

p. 174. **Synodo.** This was a Provincial Synod: see Dr. Jos. Robertson, Preface to Concilia Scotiae, p. clxxxiii. Bishop Robert granted a charter to Holyrood, ante, CCVI., p. 165, 'in plenaria synodo.'

CCXIV.

The original is in the Panmure Charter Chest. Printed in the Charters of Holyrood, Bannatyne Club edition, p. 11, No. 11.

Thor the son of Swain grants to God and to the church of the Holy Rood at Edinburgh the church of Tranent free from all secular service, and, in addition to the gifts of his ancestors, Thor gives two houses and two tofts.

He was a witness to several charters (ante, pp. 59, 72, 123, 186).

p. 175. **Tranent.** The parish formerly included Prestonpans. In the reign of William the Lion the de Quinceys were owners of the estate.

Testibus. The Bishop of Moray, the Abbot of Jedburgh, Thoraldus the Archdeacon, Aiolfus the Dean, Nicolas the King's clerk, Neis the son of Chilunus, Edmund the son of Forn, Bernard the son of Tocca, Gilandreas the (Thor's) steward, Edmund of Fazeside and Alden.

CCXV.

Registrum de Dryburgh, Bannatyne Club edition, p. 51, No. 68. It is headed "Prima donatio super ecclesia de Worgis."

Hugh de Moreville grants to the church of St. Mary at Dryburgh, for the soul of his father and for the salvation of his own soul, the church of Worgis in perpetual alms. I am by no means sure that this is a genuine charter.

p. 176. **Worgis** is now called Borgue, a parish in the Stewartry of Kirkcudbright, in Galloway. About 1170, Sir Ralph de Campania granted the church to Dryburgh, which grant was confirmed by his grandson Nicolas de Campania and by two Bishops of Candida Casa (Reg. Dryb., pp. 49, 50, 51, 52).

CCXVI.

Registrum de Dryburgh, Bannatyne Club edition, p. 145, No. 201.

Hugh de Moreville grants and confirms to the Abbey of Dryburgh half a ploughgate of land in Newton, which William his steward held, from the west of Derestrete to the bounds of Thirlestane. The monks

were to have pasturage for four oxen and a horse, in common with the men of Newton.

The charter was sealed with the seals of the Bishops of St. Andrews and Glasgow, and of the granter.

This charter is not alluded to in the confirmations to Dryburgh by Kings Malcolm, William and Alexander, pp. 178, 180, 181. Perhaps it is not genuine.

p. 176. **Newton** is now Newton-Don, which belonged to the de Morevilles; Ada, daughter of Hugo de Moreville, gave to Dryburgh a tithe of the mill of Newton. She married Roger Bertram, who confirmed her grant (Reg. Dryb., pp. 106, 180, 181).

Derestrete probably was an old road; it is mentioned again, Reg. Dryb., p. 123.

Thirlestan. This must mean the lordship of Thirlestane. The castle of Thirlestane, on the Leader, close to the town of Lauder, is a long way from Newton.

CCXVII.

Registrum de Dryburgh, Bannatyne Club edition, p. 10, No. 15.

Confirmation by Henry, Earl of Northumberland, of all the grants to Dryburgh by Hugo de Moreville and Beatrix de Bello Campo.

p. 177. **Sicut carta eorum.** No charter by Hugo de Moreville and his wife has been preserved.

CCXVIII.

Registrum de Dryburgh, Bannatyne Club edition, p. 34, No. 43. There is a duplicate, No. 209, p. 151.

King David confirms to Dryburgh Abbey the churches of Lanark and Pettinain, and the ploughgate of land in Pettinain, which Nicholas his clerk held of him.

"The craftsmen and herdsmen, whose dwellings grew up under the protection of the King's Castle at Lanark, no doubt cultivated the royal manor: while each had his toft and the privilege of pasturing his cattle on the moor, in return for which, according to immemorial usage, maills or rents would be exacted by the King's bailie" (Records of the Royal Burgh of Lanark, Preface).

CCXIX.

Registrum de Dryburgh, Bannatyne Club edition, p. 68, No. 93.

Beatrix de Bello Campo grants to the Abbey of Dryburgh the church of Bosyete in Northamptonshire. This grant was confirmed by Richard de Moreville, the son of Beatrix de Bello Campo (No.

CCXL., ante, p. 192), by Malcolm IV., William the Lion, Alexander II., and by Pope Lucius, Pope Celestine, Pope Gregory, and Pope Alexander. Dryburgh Abbey granted to the canons of the church of St. James of Northampton the church of "Bosgitta, reddendo annuatim in vita Adelardi post decessum Algari patris sui viginti solidos et unum bitantium vel duos solidos pro bitancio; post decessum vero ipsius Adelardi ipsi canonici de Northamtoun recipient ipsam ecclesiam de Bosgitta in manu sua liberam et quietam et reddent praenominatis monachis de Driburgh duas marcas et dimidiam annuatim in perpetuum. . . ." There was afterwards an arrangement by which this payment was partly satisfied by a transfer of land in Lauder which Helene de Morville had granted to the House of St. James of Northampton (Reg. Dunf., p. 91).

CCXX.

Registrum Epis. Glasguensis, Maitland Club edition, p. 11, No. 8.

King David, addressing the bishops, abbots, earls, barons, justices, sheriffs, provosts, officers, and all the liegemen of his whole kingdom, informs them that he has granted in alms to the church of St. Kentigern of Glasgow, and to the Bishop of that church, the church of Cadihou, as freely as any alms can be held, Henry the Earl assenting.

p. 179. **Cadihou**, Cadzow, in the parish of Hamilton. "The old church legend assigns it as the residence of the Princess to whom St. Kentigern miraculously restored the ring. Cadzow was a royal demesne, and an occasional residence of David I. and his successors till William I. gave it to his son, Rob. de Lundres" (1 Orig. Par. Scot., 106).

Chelgho, an eccentric way of spelling Kelso. The scribe probably was a stranger.

Thomas Lundoniarum. Probably the Thomas de Lundin, a witness to two charters by Malcolm IV. (Reg. Prior. S. And., p. 207; Lib. de Melros, p. 9). Was he Thomas de Lundin, afterwards called Durward, who contested the legitimacy of Morgund, Earl of Mar?

CCXXI.

Registrum de Dunfermelyn, fol. 7 a; Bannatyne Club edition, p. 14, No. 24.

King David, addressing all his liegemen, announces that he has granted to Andrew, Bishop of Caithness, Hoctor comon, free from all service except service in the army.

p. 179. **Hoctor Comon.** The editor of the Origines Paroch. Scotiae (2, p. 598) suggests that this was Huchterhinche, assigned by Bishop Gilbert to the chantry.

CCXXII.

This is taken from the copy in the Denmylne Coll. in the Advocates' Library, 15. 1. 18, p. 76, No. 105.

I do not know whether the original exists. Sir James Dalrymple (p. 348) and Mr. Riddell (Stewartiana, p. 109) professed to have seen it.

King David, addressing the bishops, abbots, justiciars, barons, sheriffs, 'praepositi,' officers, and all the men of his land, French and English, informs them that he has granted to Walter de Riddale, Whitimes and the half of Eschetho and Lilislive, with the pertinents which are from the east of Richeldoun, to be held in feu by the service of one knight as freely as any of the King's barons, de Riddale's neighbours, hold their lands, and if the King or his heirs cannot warrant the grantee in the possession of these lands, others of the same value shall be given to him.

p. 179. **Walter de Riddale** belonged to the family of de Rydale, in Yorkshire; he was not related to his contemporary, Gervase Ridal, the ancestor of the Riddells of Cranston (Bain, 6 Geneal., p. 1). The Riddells of Cranston never prefixed 'de' to the name; the de Riddales of Riddell almost always did so. Walter de Riddale witnessed many charters in the reign of King David (ante, pp. 123, 140, 141, 150, 159, 171, 182, 195, 197, 200, 201). He died without issue, and left his property to his brother Ansketin by a will, which was confirmed by Pope Adrian IV. (Dalrymple, Coll., 348, etc.).

p. 180. It is not certain whether G. Ridell, Sheriff of Roxburgh, was Gualterus or Gervasius—probably the latter.

Whitimes is probably a mistake of the transcriber for Whittune. **Eschetho** was afterwards called Riddell.

Lillisleaf. The estate of Riddell lies in the parish of Lillisleaf.

Richeldoun. I do not find this on the map, nor in the Retours.

Per servitium unius militis. Compare the St. Martin charter, 'per servitium dimidii militis' (p. 150).

Testibus. Alexander Seton. This is the earliest mention of a Seton in Scottish record. He does not appear in any other of King David's charters. Chalmer's assertion (1 Caled., 517) that Seiher de Say got land in East Lothian from David I. and called it Sayton, and that his son, Alexander, took the name of de Seton, is unsupported by any evidence. The other witnesses have been already noticed.

CCXXIII.

On the 40 fol. of the Book of Deer, Spalding Club edition, p. 95, plate XIV.; National MSS. of Scotland, No. XVIII.

Dr. Stuart, in the Preface, p. lix, said: "The last document engrossed in the book is in a different hand from that used in the Celtic grants, while it yet partakes to a considerable extent of the same character." It is a charter in Latin which purports to have been granted by King David, declaring that the clerics of Deer are free from services due by laymen, and from exactions which they do not owe, as is written in their book. They pleaded at Banff, and swore at Aberdeen. Wherefore the King emphatically orders that no one dare to injure them or their goods.

This seems to me to be, at best, an unskilful abbreviation of a longer document, but I suspect that it is a fabrication, though I cannot suggest when or why it was fabricated.

p. 180. **Clerici de Der.** Here only is a grant made to 'Deer.' 'Clerici' is used in a charter of Alexander II. as applicable to the Keledei of Brechin (Reg. Brech., p. 4).

Quieti et immunes. Dr. Stuart translated that 'free from all lay interference,' and Haddan and Stubbs (2 Concil., p. 216) render it 'secure from lay exactions,' but the words mean 'free from all duties or services due by laymen'; in the National MSS. translated 'free from all duty of laics.' 'Servitium' was the word in ordinary use, 'officium' is unusual.

Sicut in libro eorum scriptum est. This seems to me to be an attempt to give authority to the preceding Irish writings. It is unlikely that the gospel book with its marginal writings had been seen by the King and his Chancellor, and very unlikely that they would confirm informal writings, mainly the tradition of the church.

Dirationaverunt. Something has been omitted. Does the writer refer to a particular litigation in which the rights of the clerics had been in question, and in which they had succeeded after pleading and making oath? *Dirationare* occurs in an early charter by Alexander I. regarding Swinton: it means to litigate, to support a cause by argument. The editor of the National MSS. translates it 'as they made good by proof at Banf.'

Juraverunt may mean the oath of compurgators or of witnesses taken on the gospels in the church, and before the Bishop of Aberdeen.

Teste. Gregory was Bishop of Dunkeld from about 1135 till 1169. **Andrew** was Bishop of Caithness from about 1150, **Samson**, Bishop of Brechin; until the Book of Deer was discovered, antiquarians had been of opinion that the bishopric of Brechin was not founded before 1150, and that the first bishop, circa 1155-1156, was T. (known only by his initial). Bishop Samson was bishop in the reign of Malcolm IV.

p. 181. **Donchadus comes de Fib.** Duncan was Earl in David I.'s reign. In no other charter is he styled 'of Fife,' only 'Duncanus Comes.' **Malmori d'Athotla.** This seems to me a forged name; imaginative Peerage writers say that Malcolm, Earl of Athole, in the twelfth century was a son of Madach Comes and a descendant of Mel-

mare, brother of Malcolm III. **Ggillebrite comes d'Engus.** Mr. Skene (Celt. Scot. 3, p. 290) thought that Dufagan was Earl of Angus in the reign of Alexander I., and that this Gilbert must be his son. Gilbert, Earl of Angus, is said by G. E. C. to have been at the Battle of the Standard; but I know no authority for that. It is certain that Gilbert was Earl of Angus towards the end of the twelfth century; he was a hostage for William the Lion in 1174. G. E. C. says that he died before 1198. If the witness here be the same earl, he held the earldom for nearly fifty years. **Brocin and Cormac de Turbrud** are witnesses to the grant by Colbain, Mormaer of Buchan, and Eva, his wife (ante, CVII., p. 84). **Gillendrias Mac Matni** is doubtless one of the sons of Matni in that grant.

CCXXIV.

Registrum de Dunfermelyn, fol. 6 a; Bannatyne Club edition, p. 8, No. 3.

King David, addressing the bishops, abbots, earls, sheriff and barons, etc., of his whole land, French, English and Scots, informs them that he and Henry the Earl, his son, for the salvation of their souls and for the weal of their ancestors, had given in perpetual alms to the church of the Holy Trinity at Dunfermline and to the abbot and brethren serving God there, the vill of Nithbren and Ballecristin (reserving the rights of the Keledei). These lands were given on the day on which the church of Dunfermline was dedicated, as free and quit of all custom and service as the lands of any religious house in Scotland.

The church built at Dunfermline by Queen Margaret was probably small and unfitted for the use of the monastery. Since 1128 the monks had been busy building, and there is more than one order by the King to assist them and to give them the wood and material they required. In 1150 the church was completed and dedicated, in presence, we may believe, of those who are witnesses to this charter—six Bishops, three Abbots, three Earls, Leod, Abbot of Brechin, Walter the son of Alan, the Chancellor, the Chamberlain, de Lindsay, Avenel, the Marshal, and Gilcolm mac chimbethin.

p. 181. **Testibus.** Most of them have been already noticed. **Edward, Bishop of Aberdeen,** was Bishop of that see from about 1150. He witnessed charters of King David to St. Andrews (ante, pp. 182, 183). In 1157 Pope Adrian IV. confirmed to him the lands which had formerly belonged to the church of Morthlach. In the year 1160 or 1161 he attended King Malcolm's court at Perth (Reg. Dunferm., 41); he died in 1171 (Chron. Mail.). **Symon, Bishop of Ross.** Keith and Sir Archibald Dunbar are of opinion that he succeeded Bishop Macbeth (Dalrymple, Coll., p. 247). Symon was Bishop until 1160 or 1161. This is the only charter which he witnessed in the reign of

David I. Rosemarkie is near Fortrose in Rosshire. **Garuad Comes.** He cannot be the same as Gartnach or Gartnait whose daughter Eva married Colban, for that Gartnait died long before 1150. **Morgrund Comes.** Morgrund was Earl of Mar. Whether he was the son of Rothri who is said to have been Earl of Mar in the earlier part of King David's reign or whether he was the son of Gillocher is not known. He was a witness to a charter by King Malcolm in 1154 to Dunfermline. Selden, in "Titles of Honor," printed a charter by William the Lion, A.D. 1171, granting the Earldom of Mar to Morgrund son of Gillocherus, formerly Earl of Mar; but Dr. Joseph Robertson says it is impossible to accept it as authentic. Between A.D. 1153-1178 Earl Morgrund of Mar confirmed the gift of Countess Agnes, his wife, to the church of Migvie in Cromar to the Priory of St. Andrews, and between 1165 and 1171 he gave the church of St. M'huluoch of Tarland in Cromar to St. Andrews and also the vill of Inverinch (Reg. Prior. S. And., pp. 248, 249). It is said by G. E. C. that his legitimacy was challenged by Alan, son and heir of Thomas Durward. He died (probably) before 1178.

p. 182. **Ewaein Marescall.** He is a witness to the doubtful Foundation Charter of Dryburgh, No. CCXLII., pp. 193-195.

CCXXV.

Registrum Prioratus S. Andreae, fol. 90 a ; Bannatyne Club edition, p. 187.

King David, addressing Robert, Bishop of St. Andrews, and all the bishops, abbots, earls, barons, sheriffs, officers, and all the liegemen of his kingdom, informs them that he had granted to God and to the church of St. Andrew the Apostle and the canons serving God there, in perpetual alms, the church of Foregrund, with the tithes and customs of the church from the whole of his lordship and his men of Foregrund and Foregrundshire and a full toft as a house for the priest of that church.

p. 182. **Foregrund et Foregrunde seihire.** The priory of St. Andrews had two churches called Forgrund, one in the Deanery of Fife which was afterwards called Forgan, the other in Gowry. It was the former which was granted by King David to the Priory of St. Andrews. King Malcolm IV. added half a ploughgate of land called Chingoth (Reg. S. And., p. 205). Towards the end of King William the Lion's reign, his brother, Earl David, had a controversy regarding Forgrund with the canons of St. Andrews (Reg. St. And., p. 237). Part of Forgrund in Fife belonged to Alan de Lasceles and his descendants.

Gr. episcopo de Dunech., *i.e.* of Dunkeld.

CCXXVI.

Registrum Prioratus S. Andreae, fol. 79 a ; Bannatyne Club edition, p. 184.

King David, addressing all his lieges, announces that he has granted to God, and to St. Andrew, and to the prior and convent of St. Andrews, in perpetual alms, a full toft in Berwick. They shall hold it as freely quit of all service and custom as any 'elemosina' in his kingdom is held, and the men dwelling in that toft shall be as exempt from exaction and custom and toll as other burgesses of the King's grants in alms.

What strikes me in this and similar grants is their vagueness; no particular toft is named, it is hard to say that anything was conveyed; perhaps they meant that if the Priory already held, or should afterwards acquire, a house in Berwick, it should be held as free of service as the tofts of any burgesses who held of the King.

p. 183. **Berwick.** Many houses in Berwick were granted in King David's reign. When Earl he gave a 'mansura' to the Abbey of Selkirk. He granted to the monks of May a 'plenaria tofta.' Earl Henry granted to Kelso the toft which had belonged to Dodyn. King David gave to Kelso a 'maisura' there and a toft near the church of St. James; to Dunfermline he granted a 'mansura,' to Holyrood a toft, to Jedburgh a 'mansura.'

William, Abbot of Holyrood. He succeeded as abbot in 1152. He witnessed many charters in the reigns of King Malcolm and King William. He was abbot for 18 years: "Is cum propter corporis infirmitatem ad onus non sufficeret, vovit Deo ut singulis diebus psalterium ex integro legeret. Monasterium muro firmo atque stabili etiam adversus impetus hostiles quadrato nempe lapide cinxit" (Hay's Dipl., 281, 290; Preface to the Charters of Holyrood, p. xx).

CCXXVII.

Registrum Prioratus Sancti Andreae, fol. 79 a, b; Bannatyne Club edition, p. 185.

The King, addressing the Bishop of St. Andrews, and the sheriff and all the barons and liegemen of Lothian, states that he has granted in perpetual alms to God, and to the church of St. Andrew, and to the canons serving God there, a full toft in the burgh of Haddington, and he wills that they hold it as peacefully, quietly, and honourably as any toft is held in alms in the King's burghs. We have seen the close connection between Dunfermline and Haddington. Here another religious house gets a toft in that burgh.

p. 184. **Waltero**: the scribe has omitted 'cancellario.'

Lyed abbate: Led of charter CCXXV.

CCXXVIII.

Registrum de Dunfermelyn, fol. 22 b; Bannatyne Club edition, p. 55, No. 91.

Robert, Bishop of St. Andrews, confirms the right of the church of the Holy Trinity of Dunfermline (1) to the church of Kaledure Comitis, which Earl Duncan had given in alms ; (2) to the church of Neutun, which Elwyn Renner and his wife Ede had given in alms. They were to hold these churches free from all exaction "salvo jure episcopali."

It is not certain that this charter was granted in the reign of David I. It may have been as late as 1159, when Bishop Robert died. It was confirmed by King Malcolm IV. (Reg. Dunf., p. 25).

p. 184. **Ecclesia de Kaledure Comitis** is now called West Calder ; it lies to the west of the River Calder, which divides it from East Calder. It derived its name from the Earl of Fife, while East Calder was called Calder Clere, from Radulf Clere. Calder Comitis remained the property of the Earls of Fife until the fourteenth century.

Ecclesia de Neutun is now called Kirknewton, a parish in the shire of Edinburgh.

Elwynus Renner and Ede his wife. He was a witness to CCXXX., ante, p. 185. Gillexo Rennerius is a witness to a charter by King William (Reg. Dunf., p. 36).

Testibus. These are ecclesiastics, most of whom have been already noticed.

CCXXIX.

Liber de Calchou, Bannatyne Club edition, p. 297, No. 373.

King David, addressing his bishops, abbots, earls, barons, justices, sheriffs, servants, and all his liegemen, French, English, and Scottish, informs them that he has granted to Ernald, Abbot of Kelso, and his successors, in perpetual alms, the church of Selkirk, in order that the abbots may in that church be the chaplains of the King and his son. This was granted between 1147, when Ernald became abbot, and 1153, when King David died. This was the original grant of which the compiler of the chartulary inserted the following abstract at the end of the general confirmation to the Abbey of Kelso: "Et praeterea ecclesiam de Selkirk liberam et quietam sicut elemosina debit dare et concedi ita scilicet quod praedicti abbates sint capellani mei et filii mei et successorum meorum de praedicta ecclesia."

p. 185. **Testibus.** These have been already noticed. The name of Walter the Chancellor 'de Bidun' is given.

CCXXX.

Registrum Epis. Glasguensis, Maitland Club edition, p. 13, No. 11.

Robert, Bishop of St. Andrews, states that he has granted "et per libram saisisse" the church of Lohworuora to Herbert, Bishop of Glasgow, "sicut de possessione Glasguensis ecclesiae." The King and

his son Henry were present and assented to the grant. The Bishop reserved to the church of St. Andrews all episcopal rights in the church of Lohworuora as in other churches in Lothian.

It is not easy to understand this, because the church of Locherwort belonged to the monastery of Scone and continued to belong to it long after the reign of David I. King Malcolm confirmed the right of the Priory of Scon to the church of Louchforuer as having been granted to Scon by King David (Lib. de Scon, p. 6), Pope Alexander (p. 14), King William (pp. 19, 28, 29), Bishop Richard of St. Andrews (p. 31), Bishop Hugh (p. 32), Bishop William (p. 35), Pope Honorius III (p. 67), and Bishop William (p. 81).

p. 185. **Lohworuora** is called Lothwerverd in a Life of St. Kentigern, Forbes, p. 234 ; Lochoruer in the Bull of Pope Alexander III. in 1174 ; Loheworuerd, Bull of Pope Alexander in 1178 ; Lohewhouerd, Bull of Pope Lucius in 1181. Lohworuora was Borthwick in the shire of Edinburgh. The church was dedicated to St. Kentigern and the tradition was, that he lived there for some years and erected a cross. The jurors in the Inquisitio did not include Lohworuora among the lands and churches of the see of Glasgow. It does not appear in the Register of the Church of Glasgow after 1181. In the fifteenth century the land belonged to the Hays and under the name of Lochwarret or Locherwart it was sold to the first Lord Borthwick, who built a castle there and called it and the barony by his own name Borthwick, by which it is now known.

p. 186. **Testibus.** I am not able to suggest a reason for the long array of witnesses. On what occasion can the King and his son have met four bishops (including the granter and grantee), four abbots, three priors, two archdeacons, a dean, the chancellor of the King and the chancellor of the Earl, five clerics, an earl, and twenty barons? If the list be genuine, the date is between 1147, when Ernald became Abbot of Kelso, and 1150, when Abbot Alwyn resigned ; but I am inclined to the opinion that the compiler wrote names just as they happened to strike him. I am puzzled to find Edward the Constable as a contemporary of Walter the Chancellor ; Hugo de Moreville had succeeded Edward as Constable before Lohworuora was granted to Herbert, Bishop of Glasgow. I am still more puzzled to find Hugo de Fresechin, who flourished in the end of the reign of King William the Lion and died in 1214. The more the list is examined the more doubtful it appears. Most of the witnesses have been already noticed. Bernard de Boilond may be intended for Bernard de Baliol ; but there was a place and family called Boilond. Jordan Heyrun may be one of the Northumberland Herons. William de Vesci appears in charters towards the end of King David's reign. Arthur Finboga does not occur elsewhere ; a Gilbert Fimboga was a witness (ante, p. 86). Walter the Chaplain of Lilliesleaf. Lilliesleaf was a church of the Bishopric of Glasgow served by a vicar ; the vicar may have been the Bishop's chaplain. Thomas de Linnithuc may be a bad spelling for Linlithgow, and he may have been a churchman ; in my opinion the list is a fabrication.

CCXXXI.

In the Chartulary of Reading in the possession of the Earl of Fingall.

King David, addressing provosts and officers and all the liegemen of his land, informs them that he has granted to the brethren of May a full toft in his burgh of Haddington, free from all custom and service.

CCXXXII.

This was first printed in Smith's Bede, p. 762 (A.D. 1722); he stated, "Hac carta quae in Archivis Dunelmensibus usque hodie conservatur."

It was printed in Crawford's Officers of State, p. 6 (A.D. 1726), and in Anderson's Diplomata, with a facsimile, No. XII., and he stated on p. viii that he got the original "ex chartophylacio Academiae S. Andreae"; in Keith's Bishops, p. 7; Reeves' Culdees, p. 131. The charter is recorded in the Registrum Prioratus S. And., p. 188, with a facsimile of the original and of the transcript in the Register, Preface, pp. xvi, xvii.

Dr. Raine, N. Durham, App., p. 6, No. XXVI., printed it from Anderson's Diplomata, trusting to Canon Smith's note; Dr. Raine said the original had been at Durham in 1722, and was now unfortunately lost.

I doubt whether the charter was ever in the Durham Treasury; it is more likely that it was preserved at St. Andrews.

King David, addressing the bishops, abbots, earls, sheriffs and all his lieges, announces that he has granted to the canons of St. Andrews the island of Loch Leven, in order that they may there institute the order of canons regular, that any of the Keledei of the island who consent to live as canons shall remain, but that any who resist the change shall be expelled from the island.

CCXXXIII.

Registrum Prioratus S. Andreae, fol. 89 b; Bannatyne Club edition, p. 186; Reeves, Culdees, p. 110.

The King states that the Prior and Canons of St. Andrews may receive the Keledei of Kilrimont with all their possessions and rents if they are willing to become canons; if they are unwilling, they may have and hold their possessions for their lives, but after the death of each, his place shall be taken by a canon, so that in future there shall

be as many canons as there were Keledei ; all their goods and lands and alms shall be converted to the use of the canons.

The Keledei of St. Andrews were treated with more consideration than those of St. Serf, for if any at Loch Leven refused to become canons, they were to be ejected from the island ; if the Keledei of St. Andrews refused, they were to remain undisturbed till they died. This order by King David was not obeyed. The Keledei were too strong ; more than fifty years later, in 1199, the prior and the canons were obliged to come to an agreement with them.

" Haec est conventio facta inter Gilbertum priorem Sancti Andreae et conventum ejusdem loci, et inter Kelledeos de Sancto Andrea pro lite sopienda quae inter illos erat de decimis, scilicet quod dominus prior et canonici concesserunt Kelledeis ut habeant et teneant sine omni calumpnia et contentione in perpetuum rectas decimas plenarias in terris suis, scilicet Kingasc, Kinnakelle cum Petsporgin et Petkennin, Lethene cum Kininis, Kernes cum Cambrun. Ceteris in manu canonicorum retentis scilicet sponsaliis, purificationibus, oblationibus, baptismo, corporibus defunctorum exceptis corporibus Kelledeorum qui ubi voluerint, sepelientur. Praeterea Kelledei habeant omnes decimas et omnes obventiones de Kinglassin excepto baptismo et corporibus defunctorum, Kelledei siquidem dederunt praefatis canonicis, Trestirum per rectas divisas suas in perpetuum, libere et quiete ab omnibus prout ipsi Kelledei liberius et quiecius villam illam habuerunt, et ad hoc confirmandum confirmationem Domini Regis Willelmi et confirmationem Domini Rogeri episcopi eos habere facient. . . . Testibus, etc." (Reg. Prior. S. And., p. 318).

In 1309 Thomas Randolph the Guardian decided a controversy between the Keledei and the Bishop : " Et inventum est et solempniter in communi publicatum quod infra Cursum Apri non sunt nisi tres baroniae, videlicet baronia Domini Episcopi S. Andreae, baronia Domini Prioris S. Andreae et baronia Kalediorum quaequidem baroniae cum inhabitantibus immediate sunt subjectae Episcopo S. Andreae et ecclesiae et nulli alio. Unde ratione dictae subjectionis praedictae baroniae tam de jure quam de consuetudine approbata tenentur facere sectam curiae dicti Domini Episcopi et ibidem tam de visnetis et dictamentis interesse quam ad alia judicia de condempnatis facienda."

" Item inventum est quod si aliquod judicium infra curiam Domini praepositi Kalediorum seu alicujus baroniae infra Cursum Apri sit per aliquem falsatum, ad curiam Domini Episcopi est appellandum et ibi dictum judicium est determinandum et declarandum, etc." (From the Black Book of St. Andrews, printed in the Bannatyne Club edition of the Reg. Prior. S. And., Preface, xxxi).

CCXXXIV.

From the Liber de Calchou, Bannatyne Club edition, pp. 298 and 374.

King David states that he had granted to the church of St. Mary and St. John of Kelso, and to the abbots and monks serving God there, the vill called Vithmer free from all secular service or custom in perpetual alms, as freely as any abbey in the kingdom holds its alms. It is in the parish of Selkirk. Morton, p. 124, says: "The grange of Whitmer consisted of two ploughgates . . . the vill . . . contained 10 husband lands . . . with bond services . . . and 8 cottages."

CCXXXV.

Chartulary of Cambuskenneth, Grampian Club edition, p. 77, No. 57.

The King states that he has granted to the Abbot of Stirling and the canons serving God there, the church of Clackmannan, with forty acres of land and the toft of the priest and easements in wood and plain and the tithe of all the King's pleas and profits of Stirling and Stirlingshire and Callander and a toft in Stirling and another in Linlithgow.

This was granted after the confirmation of the original endowments of the abbey by Pope Eugenius in 1147, for these gifts are not therein mentioned. The church and church land of Clackmannan continued the property of the abbey until the Reformation; there are several charters and Bulls regarding it in the chartulary. As late as 1505 there was a 'Perambulatio' of the forty acres belonging to the church, the boundaries of which were then ascertained (Chart. Cambusk., p. 85, No. 64).

CCXXXVI.

The original is in the Treasury at Durham; a seal attached. Printed by Dr. Raine, N. Durham, App., p. 24, No. CVI.

Earl Henry states that, in his presence at Berwick, Swain the priest quitclaimed and restored to the monks of Coldingham, Fishwick with its appurtenants and the half of Prenderghest and the land which Swain had in Coldingham and Lummesdene. The Earl's pleasure is that the monks may hold and possess these lands in peace, undisturbed by Swain.

CCXXXVII.

Registrum de Dryburgh, Bannatyne Club edition, p. 78, No. 109.

King David states that he has granted Caddysleya in perpetual alms to the church of St. Mary of Dryburgh, with pasturage within his forest.

A confirmation by King Malcolm (Reg. Dryb., p. 179) implies that this was given after Earl Henry's death: "Quam avus meus eis pro anima patris mei dedit et concessit."

Afterwards King William added another bit of land next Caddysleya. The boundary between the lands of the Abbey of Dryburgh and those of the Abbey of Melrose and of Earlstoun was carefully settled (Reg. Dryb., pp. 80, 81, 82, 172). Caddysleya lay close to, if not within, the lordship of Lauderdale, which belonged to de Moreville. The King had a forest adjoining. The words in the Register of Dryburgh are "cum pasonis infra forestam meam"; the editor suggested and inserted 'pasnagiis,' but it is clear from the charters of confirmation by King Malcolm and King William that the word should be 'pascuis.'

p. 190. **Landa** meant an uncultivated land.

Caddysleya became a grange and home farm of the abbey and one of its most fertile and valuable possessions; it is now called Kedslie.

CCXXXVIII.

Registrum de Dryburgh, Bannatyne Club edition, p. 102, No. 143.

Beatrix de Bello Campo, addressing King David and Richard de Moreville, her son, states that she has granted to the canons of Dryburgh that land in Roxburgh which she had bought from Roger the gatekeeper (janitor) and also the tithe of the mill of Nenthorn in alms for ever.

This was, I think, granted after Hugo de Moreville became a monk, otherwise his wife would have addressed him and not her son, or would have signified his assent.

p. 191. **Naythinthern** is Nenthorn, a parish in Berwickshire which belonged to Hugo de Moreville.

CCXXXIX.

Registrum de Dryburgh, Bannatyne Club edition, p. 178, No. 239.

King David, addressing the bishops, abbots, earls, barons, justiciars, sheriffs, 'praepositi,' officers, and all the liegemen of his land, laymen

and clerics, French and English, present and future, announces that he confirms to the church of St. Mary of Dryburgh, and to the canons there serving God, Dryburgh and all the gifts of which Hugo de de Moreville and Beatrix de Bello Campo his wife had granted to them in alms for their support.

CCXL.

Registrum de Dryburgh, Bannatyne Club edition, p. 68, No. 92.

Charter by Richard de Moreville, confirming to the canons of Dryburgh, his mother's gift of the church of Bosyete and the mill of Nenthorn, and her land in Roxburgh, which she bought from Roger the janitor, and also the gift of his sister Ada of a tithe of the mill of Newton.

p. 192. **Bosyete.** Whalley (Northamptonshire, 2, p. 158) describes "Bosiate" as in the Hundred of Higham, in Northampton, bounded on the east by Bedfordshire, and on the south by Warrington and Olney in Bucks. Part of the manor belonged to William Peverel, and part to the Countess Judith, from whom it passed to Matilda, wife of David I. Whalley does not show how the patronage of the church belonged to Beatrix de Bello Campo. He said (2, p. 160): "The church of Bosegayte is said to have been given by Walter de Isel to St. James' convent, near Northampton. Previous to this benefaction, the right of patronage appears to have been in the abbot and convent of Dryburgh, founded by King David of Scots, in Scotland; they afterwards gave up their pretensions, and the abbot of St. James obtained the patronage on paying the said convent of Dryburgh two marks and a half yearly, which pension the convent assigned to St. Andrews in Northampton. This agreement between the two monasteries was confirmed by Richard de Moreville, constable to the King of Scotland."

Newton, now Newton-Don, in the parish of Nenthorn, Berwickshire.

CCXLI.

Registrum de Dryburgh, Bannatyne Club edition, p. 104, No. 146.

Earl Henry, addressing the bishops, justiciars, and all his liegemen, announces that he has granted to the canons of Dryburgh that toft in Roxburgh outside the wall which was held in burgage by John the Chaplain.

p. 193. **in burgagio**: meaning that the toft, though outside the wall, was held by the same tenure as a 'burgagium' within the burgh.

CCXLII.

This is not in the Registrum de Dryburgh. A copy is in the MSS. of Sir James Balfour, in the Advocates' Library, F. 33, 2. 5, W. 2, 29.

It is probably spurious, a composition of an age later than that of King David I., by whom it purports to have been granted. It represents King David as claiming to be the founder of the Abbey of Dryburgh, 'quam fundavi,' but it is certain that the abbey was founded by Hugo de Moreville on his own land in his lordship of Lauderdale. The writer makes some mistakes. The King is said to have granted the church of Dryburgh with its chapels, but there was no church at Dryburgh before the abbey church was built, and no grant by the King of a church there has been preserved.

The King granted the churches of Lanark and Pettinain and the ploughgate of land which Nicolas held, No. CCXVIII., ante, p. 177. Caddesleya he granted by charter CCXXXVII., ante, p. 190. There is no grant by David I. of a 'manerium' in Craill. The toft in Craill was granted by Countess Ada, the mother of the King of Scotland (Reg. Dryb., pp. 10, 11). This 'foundation' charter was written after King David's death.

The grant by Beatrix de Bello Campo (charter CCXXXVIII., p. 191) of the toft in Roxburgh which belonged to John the Chaplain; the grant by Adam, the King's Chaplain, are referred to and confirmed by King David (charter CCXLIII., ante, p. 195); the charter by Adam has not been preserved. The witnesses have all, I think been noticed, except Meuin son of Colban.

CCXLIII.

Registrum de Dryburgh, Bannatyne Club edition, p. 104, No. 147.

King David confirms to the Abbey of Dryburgh the grants by Beatrix de Bello Campo, by Earl Henry, and by Adam the Chaplain. He grants to the monks permission to take from his woods all that they need, and the privilege of freedom from toll and from all secular exactions and customs as fully as any 'religiosi' are exempt throughout the kingdom.

CCXLIV.

The original has not been preserved. This is taken from Dugdale's Monast., v., p. 594; Prescott's Wetheral, p. 421. There are several registers of the Abbey of Holmcultram: British Museum, Harleian

MS., 3891, 3911, and a modern transcript, No. 1881 ; Library Corp. Christ. Coll. Camb., MS. CXI., 121.

Earl Henry founded an abbey for Cistercians at Holmcultram, in Cumberland, A.D. 1150. He endowed it with two-thirds of the manor ; the other third he had already given to Alan son of Waldef as a chase for hunting. That third, Alan soon afterwards gave to the abbey. After the cession of Cumberland by Malcolm IV., King Henry II. took Holmcultram Abbey under his protection and confirmed its endowments. In Dugdale there are printed above eighty charters to the abbey, of which a Bull by Pope Clement III. in 1190 is one of the most important. It is said that the abbey was pillaged by the army of Alexander II. of Scotland in 1216, and again in 1322 by King Robert the Bruce. The clear income of the abbey at the Reformation was £428.

Hugo de Moreville gave to Holmcultram the church of Burg, of which he was the patron. This is not the Hugo de Moreville who was King David's friend. The relationship between the Scottish and the Cumberland de Morevilles has not been exactly ascertained. Hugo de Moreville of Burgh had a daughter Johanna, who married Richard de Gernun, and who confirmed her father's grant to Holmcultram. Among other donors of land to Holmcultram was Gospatric son of Orm, his sons, Thomas and Alan, and his grandson, Patrick, and his great-grandson, Gilbert, and great-great-grandson, Gilbert de Culvennan. Another donor was Alicia de Romelie, the daughter of William "nepos regis."

p. 197. **Alan** was the son of Waldef who was the brother of Dolfin and Gospatric. Waldef obtained from William Meschin, Lord of Copeland, the whole land 'inter Cocar and Derwent,' and the vills, Brigham, Eglysfeld, Dene Bramthwait, Gisothon, the two Cliftons and Stainburn. Alan, his son, was a great lord in Cumberland ; his only son, Waldef, predeceased him, and Alan is said to have been succeeded by his nephew, William Fitz Duncan, but that is doubtful. William Fitz Duncan was a cousin, not a nephew, of Alan. His mother is said to have been a sister of Waldef, Alan's father. Alan had sisters to whom he gave land. William Fitz Duncan acquired large estates in Cumberland with his wife.

Rabi. At the Reformation the abbey had Rayby Grange of the annual value of £4 19s.

Anthetillus son of Udard. Prescott reads 'Aschetillus.' Richard son of Anketillus, in the reign of King Richard I., resigned to Holmcultram the land below Kirkebride.

materiem : Prescott reads 'materiam.'

Foresta de Engleswoda was a large forest in Cumberland which is mentioned in the Bull of Clement III. King John granted a charter 'de Hermitoria S. Hildae in Foresta de Engleswoda.'

CCXLV.

From the Holmcultram Register printed in Dugdale, Monast., Vol. v., p. 594.

This is a confirmation by King David of the preceding charter by his son, Earl Henry. It was probably granted at Carlisle, where David died in 1153. The witnesses are the Bishop, and Walter, the Prior of Carlisle.

CCXLVI.

Chartulary of Brinkburn, No. CLXXIV.; Surtees Society, Vol. 90, p. 141; Dugdale's Monast., VI., p. 332.

Earl Henry, son of the King of Scotland, grants to God and to the church of St. Peter at Brinkburn and the canons serving God there, one of his saltpans at Werkeworth in perpetual alms.

p. 198. **Brinkburn** was an Augustinian priory founded in the reign of Henry I. by William Bertram, on the river Cocquet in Northumberland.

p. 199. **Salina . . . de Werkeworth.** Warkworth is on the sea, at the mouth of the Cocquet. In Dugdale the witnesses are "E. . . . cancellario comitis, Hugone Belet et aliis."

In the chartulary of Newminster (Surtees Society, Vol. 66, p. 212) there is another grant of a saltpan by Earl Henry.

"Henricus Comes filius regis Scotiae justiciae suae et baronibus vicecomitibus et ministris et omnibus probis hominibus suis totius Northumberlandiae, Francis et Anglis, salutem.

Sciatis me concessisse monachis de Novo Mon. pro salute animae meae et patris mei et matris meae et antecessorum et successorum meorum salinam unam apud Werkworth propinquiorem scilicet villae quam Comes Simon frater meus illis dedit et concessit.

Volo itaque et firmiter praecipio quod salinam illam in perpetuam elemosinam teneant et habeant liberam et quietam ab omnibus sicut aliqua elemosina in terra mea liberius et quietius habetur. Testibus . . ."

This is preceded by a charter: "Notum sit tam praesentibus quam futuris quod ego Simon Comes Northumbriae monachis Novi Mon. concessi et dedi pro salute animae meae et meorum antecessorum propinquiorem salinam de Werkword in feudo et elemosina et volo ut teneant illam salinam bene et in pace et honorifice sicut unquam melius eam tenui."

I do not know that there is any other record that Simon ever held or claimed to hold the Earldom of Northumberland. Sir Robert de Mowbray was Earl of Northumberland; he rebelled against William Rufus and was defeated and taken prisoner in 1095, from which time until 1139, when Henry, son of the King of Scots, received the earldom from King Stephen—the earldom was 'in the Crown.' If this charter can be trusted, Simon de St. Liz sometime in the interval

called himself Earl, possibly he was recognised as Earl by King Stephen, whose cause he supported. Simon de St. Liz got the earldom of Northampton on his mother's death in 1130. He died in August, 1153 (G. E. C., Complete Peerage).

CCXLVII.

Chartulary of Brinkburn, Surtees Society, Vol. 90, p. 193.

Henry, son of the King of Scotland, addressing the justiciars, sheriffs, officers, and all the lieges of the whole of his Honor, informs them that he has granted and confirmed in feu and alms, Brinkburn, which William Bertram gave to the prior and brethren of the church of St. Mary on the Isle.

p. 199. **William Bertram**: Baron of Mitford.

p. 200. **Randulf de Merlay**, son of Roger de Merley; he founded the Priory of Newminster.

Corbrig'. Corbridge is on the Tyne, below Hexham, in Northumberland.

CCXLVIII.

From the Reg. Prior. S. And., Bannatyne Club edition, p. 187.

King David, addressing the justices, sheriffs, provosts and all the burgesses of Perth, informs them that he has granted to Baldwin, his servant, "huic Balduino clienti meo," the toft which he holds and has in Perth, free of all service "excepta vigilia infra burgum et claustura burgi. . . . Reddendo . . . i turet et ii coleres" and for that he shall be free of every other service, and the King forbids that he be sued in any court except before the King himself or his justice. He further grants that when Baldwin wishes to leave the town he may sell his house and his toft.

A similar charter ascribed to Malcolm IV. is on p. 204 of the Register; the only difference is that Walter the Chancellor is added to the list of witnesses and that it was granted at Perth while this was granted at Scone. It is difficult to say which is the original. I think I was justified in printing this by David I. as genuine. King Malcolm granted the following charter to (I presume) the same Baldwin: "Malcolmus Rex Scottorum omnibus probis hominibus totius terrae suae clericis et laicis salutem. Sciatis me concessisse et regiae potestatis munimento confirmasse Deo et ecclesiae Sancti Andreae de Scotia et canonicis ibidem Deo servientibus edificia Baldwini lorimarii de Pert cum terris in quibus ipsa consistunt optinenda in libera elemosina, soluta et quieta ab omni servitio et redditu et consuetudine seculari excepta vigilia burgi et claustura quantum inde

pertinet ad edificia illa et ad terras illas. Testibus Nichola camerario, Waltero de Lindesai, Johanne de Wallibus, Radulfo de camera. Apud Rochesburc" (Reg. Prior. S. And., p. 204).

CCXLIX.

Registrum Prioratus S. Andreae, fol. 79a; Bannatyne Club edition, p. 184.

The King has granted to the church of St. Andrews and the canons serving God there a certain full toft in Clackmannan for the convenience of the monastery and for the use and business of the canons, free from all service and custom.

CCL.

Registrum Prioratus Sancti Andreae, fol. 79b; Bannatyne Club edition, p. 185.

King David grants in perpetual alms to God and to the church of St. Andrews and the canons serving there, forty shillings annually of the can of ships of Perth for the vestments of the canons. This was, I think, granted earlier than 1150; if so, it is not in its proper place.

CCLI.

Liber de Calchou, fol. 137; Bannatyne Club edition, p. 286, No. 358.

Galfrid de Percy grants in alms to the church of St. Mary at Kelso a ploughgate of land in Heton, consisting of 104 acres, near the land of the hospital of Roxburgh, free of all service; Henry, his brother and heir, agrees and confirms the grant.

p. 202. **Galfrid de Percy**, a son of the great Alan de Percy who died circa 1132-1135.

Heton is a land near Roxburgh, on the road to Crailing. It afterwards belonged to the Colvilles.

CCLII.

Chartulary of Whitby, No. 57, Surtees Society edition, Vol. 69, p. 58.

Galfrid de Percy granted to God and to St. Peter and to St. Hilda of Whitby and to the monks there serving God a ploughgate of land in Oxnam for the weal of the soul of King David, who gave that land to de Percy, and for the weal of the souls of Earl Henry and of his

sons and daughters, and also for the weal of the souls of the father and mother and brothers and relations of the granter.

p. 203. **St. Hylda of Wyteby.** The church and monastery of Whitby on the coast of Yorkshire were founded by William de Percy in the reign of the Conqueror. William de Percy was succeeded by Alan de Percy, whose sons, Alan and Galfrid, acquired land in the south of Scotland and gave part of it to Whitby.

Oxanaham. Oxnam is a border parish in Roxburghshire, on the Cheviot hills. Galfrid de Percy is said to have granted the church of Oxnam to the Abbey of Jedburgh.

Testibus: Gaufrido clerico fratre meo: in another charter he is called Gosfridus.

CCLIII.

From the Chartulary of Whitby, No. 59, Surtees Soc., Vol. 69, p. 59.

Grant by Alan de Percy to the church of St. Peter and St. Hilda, at Whitby, of two ploughgates of land, one in Oxnam and the other in Heton, for the weal of the souls of King David and of Earl Henry, and of the donor's father, Alan de Percy.

This ploughgate in Oxnam is in addition to the one granted by Galfrid (ante, No. CCLII). Galfrid and Alan had each a ploughgate in Oxnam, and each a ploughgate in Heton. Galfrid gave his Heton ploughgate to Kelso Abbey, and his Oxnam ploughgate to Whitby Abbey, while Alan gave both his ploughgates to Whitby. There is a duplicate, No. 59, of the Whitby Chartulary, witnessed by William, Walter, and Gaufrid de Percy, the donor's brothers and others. Alan was a son of the great Alan de Percy. It is not clear whether he was legitimate. "Alan magni Alani filius nothus" was present at the battle of the Standard. The legitimate son was called Alan le Meschin. This grant by Alan de Percy was confirmed by his brothers Henry and Galfrid (Whitby Charters, LX. and LXI.), by David I. (CCLIV., ante, p. 204), by King Malcolm, by Philip de Coleville, and by Thomas de Coleville.

CCLIV.

Chartulary of Whitby, No. 62, Surtees Soc., Vol. 69, p. 61.

King David, addressing the bishops, abbots, earls, etc., of his land, announces that he has confirmed to the monks of Whitby the gift in alms which Alan de Percy and Galfrid his brother made to the church of St. Hilda, viz., a ploughgate of land in Hetun, and another ploughgate in Oxnam, to be held of the King in perpetual alms free of any secular service or exaction.

I doubt whether this be a correct copy of King David's charter. The two Percies had given to Whitby two ploughgates in Oxnam, and this mentions one only. The abbot of Holyrood is here called Abbot de Castello Puellarum. William became Abbot of Holyrood in 1152; King David died in 1153 at Carlisle.

CCLV.

Registrum de Dunfermelyn, fol. 8 a; Bannatyne Club edition, p. 17, No. 33; and Registrum Epis. Morav., Bannatyne Club edition, p. 329, No. 254.

The King, addressing the bishops, abbots, barons, justiciars, sheriffs, and all the men of all his land, French, English, and Scots, states that he, for the extension of the house of God, and for the propagation of holy religion, had granted to God and to the church of the Holy Trinity of Urchard, and to the prior and brethren serving there, Urchard and Finfans and Fochoper, and common pasturage for beasts, and a fishing in the Spey, and twenty shillings from the rent of the burgh of Elgin, and in Fochoper the right of fishing which belongs to the thain, and a tithe of the can of Ergaithel and of Moray, and the whole of the profits of the same Ergaithel. The King confirms to Urchard the donations by the Abbey of Dunfermline, of Pethenach juxta Eren, of the sheilings of Fathenechten, and of all the rights which the monks of Dunfermline were wont to have in Moray, fully and freely, and exempt from all exactions, on the condition that on the death of the 'persona' (the head of the House of Urchard) the assent of the Abbey of Dunfermline and of the King should be obtained to the election of a successor, and that if no fit person be found in Urchard, one should be accepted from Dunfermline.

p. 204. **Urchard**: the Church and priory of Urquhart have been noticed in the note to charter CX. Urquhart is a parish in Elginshire, five miles N.E. of Elgin.

p. 205. **Finfans** is a farm in Urquhart parish.

Fochoper, now called Fochabers, a small town in Bellie parish, in the shire of Elgin.

Can of Ergaithel of Muref. In the second great charter to the Abbey of Dunfermline, King David granted the half of his tithe of Ergaithel and of Kentir "eo scilicet anno qũ ego ipse inde recepero can." This is the only mention of a grant of the tithe of the can of Moray.

Pethenach juxta Eren. Eren was the old name for Auldearn, near Nairn; probably this was a farm in Auldearn parish.

Scalingas de Fathenechten. Scalingae were sheils, or sheilings, huts erected each summer for the use of those who tended the cattle sent to graze on the hills. Fathenechten may be the same as Pethenach.

CCLVI.

Registrum de Dunfermelyn, fol. 22 b ; Bannatyne Club edition, p. 55, No. 92.

The Bishop of St. Andrews confirms the right of the Abbey of Dunfermline to the churches (1) of Perth, (2) of Stirling, with the schools, (3) of Nithbren, (4) Kinglassin, (5) Kirkcaldy, (6) the chapel of Inverkeithing, (7) church of Inveresk, (8) chapel of Cousland, (9) to the tithes of Keeth, (10) to the church of Wymet, (11) to that of Hailes. I am not sure that this was granted before 1153; it may have been granted between 1153 and 1159.

CCLVII.

The original is in the Treasury at Durham ; a seal attached. Printed in Raine, N. Durham, App. 24, No. CVIII.

Earl Henry, addressing Gilbert de Unfranville, his constable, and his barons and liegemen, announces that the lands of the monks of Durham are under his protection.

p. 207. **Richard, Prior of Hexham.** He was a canon of the Augustinian Priory of Hexham, in Northumberland, and became prior in 1141. He wrote a history of the Church of Hexham, and "De gestis regis Stephani et de bello Standardi."

Apud Jeddewrd : Jedburgh.

CCLVIII.

Liber de Calchou, Bannatyne Club edition, p. 43, No. 52.

Bernard de Balliol, addressing all the sons of Holy Church, announces that he has gifted to God and to the Abbey of Kelso, a fishing in the Tweed which appertains to Wudehorn, to be fished with nets without hindrance, with the assent of David, King of the Scots, and of Malcolm and William, his grandsons ; witnessed by Wydo the granter's son, and Bernard and others. Bernard de Baliol (the son of Guy de Baliol, who received many lands in Northumberland and Durham from the Conqueror) was a great baron in the north of England. He built Barnard Castle.

p. 207. **Wudehorn.** A charter by Richard, Bishop of Durham (Liber de Calchou, No. 54, p. 44), describes a land as lying in the territory of Tweedmouth, next to the fishings of Wudehorn and Blakewel, in the river Tweed, and in a charter by Hugo de Baliol (*ib.* No. 53, p. 43), the fishing is called Wudhornestell.

CCLIX.

Liber de Calchou, Bannatyne Club edition, p. 24, No. 25.

King David confirms Bernard de Baliol's gift of a fishing (No. CCLVIII., p. 207). If the fishing was on the English side of the Tweed, it would be strange that the Scottish King should affect to confirm the grant; but perhaps the monks of Kelso begged him to confirm it lest there should be any question whether the fishing was in England or in Scotland.

CCLX.

Registrum de Dunfermelyn, fol. 83 a; Bannatyne Club edition, p. 88, No. 152.

Countess Ada, addressing her provost and burgesses and all her liegemen of Haddingtonshire, informs them that she has granted a full toft in her burgh of Haddington in free alms for the soul of her lord, the Earl Henry, and for her own soul, etc.

This was granted after Earl Henry's death in 1152. King David had granted a toft in Haddington to Dunfermline, ante, pp. 164, 167. In later years the abbey seems to have had only one toft there.

CCLXI.

Registrum de Dunfermelyn, fol. 22a, and duplicate, fol. 22b; Bannatyne Club edition, p. 55, No. 90.

The Bishop of St. Andrews confirms to the Abbey of Dunfermline the church of St. Leonards at Perth, a chapel ('membrum') of the church of St. John the Baptist.

p. 209. '**Membrum**' is not a common word in Scottish charters. Du Cange says it is "partie d'un tout, dépendance, accessoire."

Testibus. Magister Herbert is probably the Magister H. of charter CCLVII., p. 207. He witnessed several charters to Dunfermline Abbey.

CCLXII.

Registrum de Dunfermelyn, fol. 75a; Bannatyne Club edition, p. 74, No. 123.

Charter by Andrew, Bishop of Caithness, granting to the Abbey of Dunfermline the church of the Holy Trinity of Dunkeld and its lands.

The church of the Holy Trinity at Dunkeld was not the cathedral, but the parish church, endowed with many lands of which Andrew, the Bishop of Caithness, was owner and patron.

The Bishop of Caithness reserved his liferent, as appears from the confirmation by King Malcolm IV., which stated that the gift to Dunfermline was to take effect on the Bishop's death (Reg. de Dunf., No. 36, p. 22). The grant was confirmed by King William (*ib.* p. 30), by King Alexander II. (*ib.* p. 42), by King Alexander III. (*ib.* p. 48), by Pope Alexander III. (*ib.* 418), and by Richard, Bishop of Dunkeld (*ib.* 419): "Concedo etiam eis conversationem in episcopatu meo et ut divinum exerceant officium et subditorum suorum curam habeant animarum et ut conversantes in diocesi mea a me quae ad Christianitatem pertineret accipiant."

In 1255 David de Lochore, Sheriff of Perth, alleged that the Abbot and Convent of Dunfermline owed suit in the Sheriff's Court of Perth for the lands of Fordouin, Cupermaccultin, Bendhautine, Ketheker-bege, Inchethurfin and Dunmernech, which are the same as those in this charter; the claim was proved to be unfounded (*ib.* p. 51).

Fordouin, Dunmernach, Cupermaccultin, Bendachten, Incheturfin, Chethec, were all in the Sheriffdom of Perth, near Cupar Angus. The Abbey of Dunfermline feued them to Malcolm of Ferenderach, and they were for some time part of the estate of Frendaught (Reg. Dunf., pp. 217, 278). In later times they passed into the hands of other vassals of the abbey.

CCLXIII.

Registrum Prioratus S. Andreae, fol. 18 b; Bannatyne Club edition, p. 43; Reeves' Culdees, p. 130.

Bishop Robert of St. Andrews grants to the Canons Regular the abbey of St. Serf's island, hitherto held by the Keledei, with all its pertinents, namely Findahin, Portemuoch, the mills at the bridge, a mill in Findahin, Chircness, half of Urechehem, the church land of Sconin, twenty meli of cheese, one pig from Markinche, twenty meli of cheese and four meli of malt and one pig from Ecmor; twenty meli of barley from Balcristin, twenty meli of cheese and one pig from Bolgin son of Torfin, the tithe of our house of the island, the tithe of the whole rent which we are to receive at that house, and the church vestments which the Keledei had, and the books.

p. 210. **Abbatiam**: used here as a monastery; St. Serf's was a priory.

p. 210. **Findahin and Urechehem** are not mentioned elsewhere as parts of the endowments of St. Serf's.

Books. The library of the Abbey of Loch Leven, in the reign of David I., consisted of sixteen books.

"Four were probably for the public service of the church. Of the Scripture, there were the Gospels after the text of St. Prosper, a zealous follower of St. Augustine: the Acts of the Apostles: and three books of Solomon. There were commentaries on Genesis and on the Song of Solomon: the works of Origen . . . the Sentences of St. Bernard, who is styled Abbot of Clairvaux . . . and another collection of Sentences. 'Interpretationes dictionum,' perhaps the same treatise which was engrossed in the Registrum Magnum under the title of 'Tractatus de dictionibus Bibliae'; a treatise of the Sacraments; pars bibliothecae . . . and a treatise concerning exceptions from ecclesiastical rules" (Preface to Reg. Prior. S. A., p. xvi).

Haddan and Stubbs, Concil., 2, p. 228: "It has been rightly inferred from the mention here of the Keledean Pastoral, Gradual and Missal as transferred from Keledei to Augustinian canons, that the 'barbari ritus' and 'mos suus' of the former were merely matters of circumstance and of indifferent externals and certainly did not touch doctrine."

Dr. Reeves, Culdees, p. 131: 'The character of the books is just what might be expected in a small monastic establishment of that date and the ritual works are those which were in general use. (1) a Pastorale or Ritual; (2) a Graduale or Antiphonary; (3) a Missale or Liturgy book; (4) an Origo or Origines—if the former, some tract like the popular 'Origo Mundi'; if the latter, some of the writings of Origen (whose name is sometimes written 'Origines' instead of 'Origenes,' see Panzer); (5) the Sententiae of St. Bernard; (6) a treatise on the Sacraments in three staves; (7) a portion of the Vulgate Bible; (8) a Lectionarium or book of Epistles and Gospels; (9) the Acts of the Apostles; (10) the Four Gospels; (11) a Prosper (probably some work of Prosper Aquitanus); (12) three books of Solomon; (13) Glosses on Solomon's Song; (14) Interpretations of Words; (15) a collection of Sententiae or Religious Maxims; (16) exposition of Genesis; (17) excerpts of Ecclesiastical Rules."

CCLXIV.

Registrum Prioratus Sancti Andreae, fol. 55a; Bannatyne Club edition, p. 126.

Robert, the Bishop of St. Andrews, addressing all the sons of the Holy Mother Church, and granting his episcopal benediction, states that he had granted to Robert, the first prior of the church of St. Andrews, and to his successors, his benediction. He grants to the brethren of that place the right to elect the prior. On whomsoever the majority agrees, he shall be raised to the government of the house.

CCLXV.

Registrum Prioratus Sancti Andreae, fol. 54 b ; Bannatyne Club edition, p. 124.

Charter by Robert, the Bishop of St. Andrews, granting to the Priory of St. Andrews a toft in Chilrimund, and three tofts on the water of Kines tenure of Kininmonth.

p. 212. **Kinninmonth** is near Ceres.

CCLXVI.

Registrum Prioratus Sancti Andreae, fol. 90 b ; Bannatyne Club edition, p. 189.

A confirmation by King David of the grant by the Bishop to the Priory of Kinninmuneth, and of a toft in Kilrimund. This may refer to the preceding, No. CCLXV. There is another charter by the bishop (Registr. S. And., p. 125): "Robertus Dei gratia humilis minister ecclesiae Sancti Andreae, Universis Sanctae Matris ecclesiae filiis salutem. Innotescat tam posteris quam praesentibus nos dedisse et in liberam elemosinam concessisse Deo et ecclesiae Sancti Andreae et canonicis ibidem Deo servientibus Kinninmuneth cum tofta de Kilrimund et cum omnibus aliis appenditiis suis. Quapropter volumus et praecipimus quatenus ipsi hanc elemosinam ita libere et honorifice teneant ut decet elemosina teneri. Et si quis de hac elemosina injuriam ecclesiae Sancti Andreae et praedictis fratribus intulerit, vinculo anathematis constringatur nisi digne satisfecerit. Testibus Hereberto episcopo Glasguensi, Willelmo episcopo Moraviensi, Arnaldo abbate de Chalchou, Gaufrido abbate de Dunfermelyn, Willelmo abbate de Sancta Cruce, Ysaach abbate de Striuelin, Matheo archidiacono, Thoraldo archidiacono, Aiulfo decano, Nicholao clerico regis, Willelmo capellano episcopi, Magistro Andrea, Magistro Herberto, Johanne nepote episcopi, Radulfo nepote episcopi."

p. 212. The rights of the priory in **Kinninmunet** were repeatedly confirmed ; by Pope Adrian IV. (p. 51), Pope Alexander III. (p. 54), Pope Lucius III. (p. 58), the Bishops of St. Andrews (pp. 131, 143, 150), by King Malcolm (pp. 200, 206), by King William I. (p. 214), and by King Alexander (p. 233).

CCLXVII.

Registrum Prioratus Sancti Andreae, fol. 92 a ; Bannatyne Club edition, p. 193.

Charter by King David granting his protection to the Hospital of St. Andrews. King David, by charter CLXXI., ante, p. 134, granted

Kenlachyn to the hospital. The rights and privileges of the hospital were often confirmed by successive Popes (Reg. St. And., pp. 54, 56, 63, 67, 72, 77, 92, 99); by Bishops of St. Andrews (*ib.* pp. 123, 130, 143, 145, 148, 151, 151).

p. 213. **Testibus.** **Symon son of Michael** gave a ploughgate of land in Cathelai, which he had perambulated. His grant was confirmed by King Malcolm IV. (Reg. Prior. S. A., p. 195), and King William (p. 212) confirmed the ploughgate of land in Chathelach, with common pasture for twenty-four beasts and eighty sheep, which Symon son of Michael gave, and his son Alan confirmed. "Ita quod Simon et heredes sui terram illam adquietabunt de exercitibus et operationibus et de omnibus secularibus exactionibus excepto quod idem hospitale adquietabit illam carrucatam terrae de Geldo regio quod communiter capietur de terris et de elemosinis per regnum Sociae." The descendants of Simon took the name of Kinnear and were the vassals of the priory in the lands of Kathlac, etc., which they held till the beginning of the eighteenth century.

CCLXVIII.

Registrum Prioratus Sancti Andreae, fol. 54 b; Bannatyne Club edition, p. 124.

Charter by Robert, Bishop of St. Andrews, granting three tofts in the burgh of St. Andrews to the priory: (1) the toft of Elfgar, (2) the toft of Arnald, (3) the toft of William Cocus.

p. 213. **Patres de Templo,** a clerical error for 'fratres.' The brethren of the Temple of the Lord in Jerusalem had settlements in Scotland in the reign of King David. They were replaced by the Knights of St. John.

CCLXIX.

Registrum Prioratus Sancti Andreae, fol. 55 a; Bannatyne Club edition, p. 125.

When the Bishop endowed the priory (charter No. CLXII, ante, p. 124) he gave to the canons two out of the seven portions of the revenue of the old church; now he enlarged the gift and gave six out of the seven portions, reserving one portion to himself as Bishop.

CCLXX.

The original, with a seal attached, is in the Treasury at Durham. Printed by Raine, N. Durham, App., p. 38, No. CLXIV.; facsimile in the National MSS. of Scotland, No. XXVI.

The editor of the National MSS. of Scotland included this among the charters of the reign of David I., but I doubt whether it was granted before 1160; it is not in the Chartulary of Kelso which was compiled after the church of Ercheldune was declared to belong to Durham, at which time it is probable that this charter was sent to Durham, where it has remained ever since.

Walter de Lyndesay, with the consent of William his son, grants to the Abbey of Kelso, the church of Ercheldune and the ploughgate of land belonging to it.

His right to do so was challenged by the Priory of Durham on the ground that Ercheldune was a chapel of the mother church of Edrom, which had been granted to the monks of St. Cuthbert by Earl Gospatric by charter (No. CXVII., ante, p. 90). Pope Alexander III. about the year 1160 referred to the Bishop of St. Andrews and the Abbots of Rievaulx and Melrose the issue whether the priory of Durham had had prescriptive possession of the chapel of Ercheldune for forty years; the possession was proved by the oaths of twelve priests, of one deacon, and of two laymen, which carried the possession of Durham back to 1129. William de Lindesay gave a charter (CLXV., Raine, N. Durham, App., p. 39) granting to Durham the church of Ercheldune and a ploughgate of land. (Raine, N. Durham, App., 84, Nos. 459, 460, 461.) Bertram (III.), Prior of Durham (1189-1209), granted a concession from the altarage of the church of Ercheldune to the nephew of the Prior of Coldingham "nomine vicariae" (Raine, N. Durham, App., p. 95, No. DXXXIII.).

p. 215. **Ercheldune**, Earlston, a parish in Lauderdale, Berwickshire.

Gauterius avunculus meus: the paternal uncle of the granter. He was a witness to Earl David's charter to Selkirk and to many of the early charters of the King.

Hospitale in Ercheldune. I have not found any other reference to a hospital there; its lands were exempt from tithe.

CCLXXI.

Chartulary of Brinkburn, Surtees Society, Vol. 90, p. 142.

This is a confirmation of No. CCXLVI., ante, p. 198.

I followed Mr. Page, the editor of the Brinkburn Chartulary for the Surtees Society. He had the MS. before him, and read the name of the granter as Malcolm' de Gwarrenne, but there is authority for ascribing the charter to William, the second son of Earl Henry.

Dugdale, Monast., Vol. VI., page 332, and the abbreviated copy in Dodsworth's MSS. XLV. 6a, (vol. 44 of the Surtees Society, Illust. Doc., p. xiv, note) gives it as a grant by William de Gwarrenne, Earl of Northumberland.

Pope Urban (Chartulary of Brinkburn, p. 197) confirmed the gift of a saltpan in Werkeworth by Henry the Earl and W., his son, King of Scotland.

Henry, Earl of Northumberland, died on 12 June, 1153.

John of Hexham (Surtees Society, 44, p. 165) said that William was recognised as Earl of Northumberland on the death of his father Earl Henry.

"Post Pentecosten defunctus est cognatus ejus, Henricus Comes, filius David regis Scotiae, modestissimi spiritus princeps, homo disciplinatus et timoratus et devotus in misericordiis pauperum; sepultusque est in monasterio monachorum apud Calcehou secus Rochesburh quod David pater ejus construxerat.

"Rex autem David dissimulato moerore super interitu Reginae Angliae neptis suae et filii sui unici tulit continuo Melcholmum primogenitum filii sui et dato ei rectore Dunecan comite cum exercitu copioso jussit eundem puerum per provincias Scotiae circumduci et proclamari heredem regni. Juniorem vero filium Willelmum ipse assumens venit ad Novum Castellum acceptisque obsidibus a principibus Northymbriae omnes ejusdem pueri dominio subditos fecit." Fordoun and Wyntoun copied John of Hexham.

There is a charter by William as Earl of Northumberland (Surtees Soc., vol. 44, Illus. Doc., p. xiv):

"Willelmus comes Northumbrie illustris, constabulariis suis, vicecomitibus suis omnibus, necnon omnibus hominibus suis Francis et Anglicis Northumb' qui sunt et qui venturi sunt, salutem. Notum vobis facio quatinus do et concedo Willelmo de Vescy ut habeat forum suum apud Sanctum Walericium qui vocatur Neubiginge cum omnibus rebus et rectitudinibus omnibus quae melius et liberius pertineant ulli foro totius Northumbriae, ita libere quiete et honorifice sicut aliquis in tota Northumbria habet et tenet territorium suum liberius et honorabilius. Volo et jubeo quod idem Willelmus de Vescy teneat predictum forum et habeat. Testantibus hiis Osberto priore de Jeddeworth, A comitissa matre ejus, Gilberto constabulario, Odenel Denframvilla, Edmundo Camerario, Hugone Giffard, Willelmo Masculo, Rodberto de Baillioll, Magistro Ricardo de Devel', Waltero de Pelet . . . nigro, Godfredo. Apud Edinburgh."

p. 215. **de Gwarenne comes Northumbriae.** William assumed his mother's surname of de Warenne; she was the daughter of William de Warenne, 2nd Earl of Surrey. Unlike their successors, Balliols, Bruces, and Stewarts, the ancient kings of Scotland, had no surname.

Roger Bertram: William Bertram was the founder of the priory, see charter CCXLVII., p. 199; 'Roger' is probably a mistake.

Salina . . . apud Werkewurthe: see note to CCXLVI., p. 438.

p. 216. **William de Vescy, Roger de Merlay,** Ada his wife, and Ranulf his son, and Alicia his mother, were benefactors to Brinkburn.

Roger de Merlay was a son of Ranulf de Merlay the founder of Newminster, who married Juliana, a daughter of Gospatric, Earl of Northumberland and sister of Dolfin, Gospatric, and Waltheof. De Merlay had with her a charter from Henry I. of Marsale in Northumberland. (Surtees Soc., Vol. 44, Illust. Docs., p. ix; 1 Bain, Calendar, p. 312.)

On 24 May, 1153, David I. died at Carlisle.

After the death of King Stephen in 1154, Ailred, Abbot of Rievaulx, addressed to King Henry II. a lament on the death of King David, which Fordoun embodied in his Chronicle; it is in terms of warm and perhaps exaggerated praise, but as it was written by one who knew the King intimately, and who had not scrupled to blame his conduct in the war of 1138, it may be accepted as a truthful tribute to the memory of a good King.

Most of the events of King David's life have been noticed in my notes. I followed Sir Archibald Dunbar in stating that David was born about 1080. I now think that he was born not before 1085, for in 1105 he was still a young man (adolescens) serving in the court of his brother-in-law Henry I. He told Ailred that his sister the Queen sent for him to assist her in ministering to lepers, that in his youthful pride and ignorance he refused, and returned laughing to his companions. In 1107, he succeeded to lands and lordships in Scotland by the bequest of his brother King Edgar. Between 1110 and 1112 he married the Countess Matilda, a widow many years older than himself, for her father was beheaded in 1173.

As a King's son he probably was styled 'Earl' before his marriage; after that he had an Earldom, that of Northampton, with the Honor of Huntingdon, and at Yardley Hastings, he and his wife lived until he succeeded to the throne of Scotland in 1124. They had four children, of whom Henry alone lived to manhood; a son and two daughters died in infancy. Wyntoun tells a gruesome story of the cruel murder of Malcolm, the elder boy, by the old, blind and maimed Donald Bane; but it cannot be true. Donald was imprisoned at Rescobie, where it is very unlikely that David and his family ever lived, and Wyntoun said that the shock to the Countess brought on premature confinement and that she died when her son Henry was born. But she lived for more than sixteen years after Earl Henry's birth and died Queen of Scots in 1130-1131. Another version is that the murder was committed by an outcast priest, but that is probably untrue.

Before he succeeded to the throne, Earl David, attracted by the fame of St. Bernard at Tiron, begged him to give some monks for the monastery which the Earl founded at Selkirk. I said (ante, p. 372) that St. Bernard was David's teacher and friend, but I find from the life of the Saint by Geoffroi le Gros (Migne, Vol. 172, pp. 1426-27) that David never met St. Bernard. In the early part of the year 1117 the Earl made the arduous journey to Tiron, near Chartres, in France, but he arrived too late. St. Bernard died before David reached Tiron; he knelt beside his tomb, and inducing twelve monks and an abbot to go to Scotland, he placed them at Selkirk and largely increased the endowments of the Abbey.

Earl David's possessions gave him great influence in the south of Scotland. About 1118 he restored the Bishopric of Glasgow and caused an enquiry to be made regarding the old endowments of the see. The new Bishop, John, was not an obedient son of the Church of Rome, and it is not clear what position Earl David took in the contest.

Ailred says that when David succeeded to the kingdom he shrunk from those services which, after the manner of their fathers, were rendered by Scottish men to a king on his accession, and that it was with difficulty that the Bishops induced him to receive them. He was accompanied to Scotland by many friends and vassals from Northamptonshire, of whom Robert de Brus, Hugo de Moreville, and others got grants of lands.

During the greater part of his life King David resided frequently in England, at the Court of Henry I. in the Earldom of Northampton ; at Carlisle he lived for many years, and died there.

He was diligent in founding and endowing monasteries and in creating and restoring bishoprics. In 1130-31 he was in England for several months. There are entries in the Pipe Rolls of Corrody for him ; he sat as a judge in a cause between the King of England and Geoffrey de Clinton. In his absence from his kingdom, the Earl of Moray rose in rebellion, but he was defeated and killed at Stracathrow.

On December 2, 1135, Henry I., King of England, died, and King David at once took up arms to oppose Stephen and to support the claim of the Empress Maud. The history of the next four years has been partly told in the notes. King David advanced to the neighbourhood of Durham, and on the approach of King Stephen he retired to Newcastle ; a temporary peace was arranged in 1136 ; Henry, the King's son, did homage to Stephen for the Honor of Huntingdon, and for Carlisle and Doncaster, which were given to him ; and King David restored to the King of England the castles and lands in England which he had taken.

The King founded the Abbey of Melros in 1136, and in the same year the Cathedral church of Glasgow was consecrated. Next year, 1137, when King Stephen was abroad, King David invaded Northumberland ; a truce was arranged until Stephen's return. In March, 1138, Stephen advanced as far as Roxburgh and then retreated, while King David with his nephew, William Fitz Duncan, laid waste the north of England. Temporary success was gained by the Scots at Clitheroe and at Norham, but at the battle of the Standard King David was defeated on 22 August, 1138. The history of this war is fully told by Richard and John of Hexham and by Ailred. It was carried on with cruelty and barbarity by the Scots under William Fitz Duncan. Ailred stated that this was done against the express commands of the King, but that he accepted the responsibility, and so severely blamed himself that he wished to resign his crown and to join the Crusade as a penitent. Peace was arranged in 1139, on terms more favourable to the Scots than they deserved. The Earldom of Northumberland was conferred on Earl Henry ; he married Ada, daughter of the Earl of Surrey, and was received as a friend by King Stephen. King David retained Carlisle and part of Cumberland.

King David remained constant in his support of the Empress ; he joined her in 1141, and he and his son engaged in what seems to me to have been a discreditable attempt to gain for his chancellor, William Cumyn, the Bishopric of Durham ; the defeat at Winchester, from which the King escaped with difficulty, brought his active interference in the affairs of England to an end, and for the last eleven years of his reign he was at peace with Stephen. For part of that time he held the Honor of Lancaster, north of the Ribble, which he resigned about the year 1149. He knighted Prince Henry, afterwards Henry II., at Carlisle in 1149. Between 1140-1153 he founded and endowed many monasteries, and he created and restored several bishoprics.

Towards the end of his reign there was trouble in the north, caused by Wimund, the Bishop of the Isles, whom Ailred calls a pseudo-episcopus, who falsely stated that he was a son of Angus, Earl of Moray ; it is said that King David bought him off by a grant of Furness, which he held as part of his Honor of Lancaster.

Ailred speaks of King David's daily administration of justice, he was accessible to all who had complaints to urge and wrongs to be redressed. In the latter years of his reign the King was assisted by his son Earl Henry, a capable and popular prince, who besides taking part in the affairs of Scotland did his duty as Earl of Northumberland and lord of Huntingdon. In 1152 the King's niece, the wife of King Stephen, died, and shortly afterwards he lost his only son. The King caused Malcolm, his eldest grandson, to be taken throughout Scotland and proclaimed the heir to the throne, he himself took his second grandson, William, to Northumberland and installed him as Earl. After a reign of more than twenty-nine years he died at Carlisle on the 24 May, 1153.

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